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Message of the President of the United States, communicating, in compliance with a resolution of the Senate of the 11th instant, copies of letters and vouchers in support of claims presented by and allowed to John C. Fremont.

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## MESSAGE

OF

### THE PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

*In compliance with a resolution of the Senate of the 11th instant, copies of letters and vouchers in support of claims presented by and allowed to John C. Frémont.*

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AUGUST 18, 1856.—Read and ordered to be printed.

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*To the Senate of the United States :*

In compliance with a resolution of the Senate of the 11th instant, in relation to the public accounts of John C. Frémont, I transmit the accompanying report from the Secretary of the Treasury, to whom the resolution was referred.

FRANKLIN PIERCE.

WASHINGTON, August 16, 1856.

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TREASURY DEPARTMENT, August 16, 1856.

SIR: To enable you to comply, so far as the information is to be found in this department, with the resolution of the Senate of the 11th instant, requesting you "to cause to be communicated to the Senate at the earliest day convenient copies of the letters and vouchers filed in the department in support of claims presented by and allowed to John C. Frémont as an officer of the United States government, from the time he commenced his first expedition to California in the year eighteen hundred and forty-two, showing what claims, if any, were disallowed, and the reasons for their disallowance. Also, whether any moneys placed in the hands of John C. Frémont, for disbursements on the public account, remain unaccounted for at the treasury; whether any drafts drawn or liabilities incurred by him in the public service remain unliquidated; and, if so, in whose hands are such unliquidated drafts, and why have they not been paid? Were appropriations made for the payment of drafts drawn or liabilities incurred by him, as an officer of the government, which have not been paid and cancelled, placed in his hands under the authority of law or otherwise? Also, whether there are any letters or papers on file in either of the departments made through an official source, charging him with malfeasance in office; and, if any, to furnish copies thereof, and state whether he was arraigned for such charges or notified of their existence, and

what reply did he make thereto ; with such other information as the President and heads of departments deem necessary to throw proper light upon the 'subject involved in this resolution,' I have the honor to submit reports of the Second, Third, and Fourth Auditors, and the Register of the Treasury, together with the documents accompanying the same, respectively.

I also submit letters from the Secretary of War and the Secretary of the Interior, to whom, by your direction, copies of said resolution were referred, together with the report of the Commissioner of Indian Affairs, which accompanies the latter.

With the highest respect,

JAMES GUTHRIE,  
*Secretary of the Treasury.*

To the PRESIDENT OF THE UNITED STATES.

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WAR DEPARTMENT,  
*Washington, August 15, 1856.*

SIR: I have to acknowledge the receipt of your letter of the 14th, enclosing copy of a resolution of the Senate of the 11th instant, which calls upon the President for information in regard to the accounts and charges against Colonel John C. Frémont, and requesting this department to furnish any information on its files on the subject.

In reply, I have to state that all accounts respecting Colonel Frémont's pecuniary transactions with this department have been referred to the proper accounting officers, who, you state, have been called upon to report directly to you. The only charges against Colonel Frémont, of which I am informed, were those upon which he was tried by a court martial in the winter of 1847-'48, and those preferred by Colonel R. B. Mason, growing out of Colonel Frémont's transactions with Don E. de Celis for money and beef cattle. All these charges were made known to Colonel Frémont, and replied to by him. The charges in the former case, together with the evidence, and Colonel Frémont's defence, will be found printed in Senate Ex. Doc., No. 33, 30th Congress, 1st session. The charges in the latter case will be found printed in Ex. Doc. House of Reps., 31st Congress, 1st session, pp. 363 to 373, and his reply in Rep. Com. H. R. 30th Congress, 1st session, No. 817, p. 27.

Very respectfully, your obedient servant,

JEFF'N DAVIS, *Secretary of War.*

Hon. JAMES GUTHRIE,  
*Secretary of the Treasury.*

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DEPARTMENT OF THE INTERIOR,  
*August 16, 1856.*

SIR: Your letter of the 14th instant, enclosing me, by direction of the President, a copy of Senate resolution of the 11th instant, calling on him "for information in respect to the accounts and charges against Colonel Frémont," was duly received and referred to the Indian Bureau.

of this department, for all the information on the subject afforded by his files or records.

I have the honor to enclose, herewith, his report to me of this date, with its accompanying papers.

With much respect, your obedient servant,

R. McCLELLAND, *Secretary*.

Hon. J. GUTHRIE, *Secretary of the Treasury*.

TREASURY DEPARTMENT,  
*Second Auditor's Office, August 15, 1856.*

SIR: In answer to the resolution of the Senate dated the 11th instant, in relation to the accounts of John C. Frémont, I have the honor to transmit herewith copies of the accounts and reports of the accounting officers of his abstracts of expenditures, decisions, &c., exhibiting his transactions with this office.

Very respectfully, your obedient servant,

P. CLAYTON, *Second Auditor*.

Hon. JAMES GUTHRIE, *Secretary of the Treasury*.

The Second Auditor is respectfully requested to ascertain Colonel Frémont's indebtedness on the books of the Fourth Auditor, and to call for a transfer requisition to that amount, to be issued in this report.

A. K. PARRIS, *Comptroller*.

*Appropriation, No. 7,248—Mexican hostilities, \$21,643 55.*

TREASURY DEPARTMENT,  
*Second Auditor's Office, September 2, 1848.*

I certify that there is due from the United States to J. C. Frémont, lieutenant colonel mounted riflemen, the sum of twenty-one thousand six hundred and forty-three dollars and fifty-five cents, being on account of advances made to P. B. Reading, paymaster California battalion, as per statement and vouchers herewith, (\$20,906 90.)

\$20,306 90 to be carried to his credit on the books of the Fourth Auditor; the residue, \$971 65, to be paid to Colonel J. C. Frémont, present, (\$971 65,) as appears from the statement and vouchers herewith transmitted for the decision of the Second Comptroller of the Treasury thereon.

JNO. M. McCALLA, *Second Auditor*.

To the SECOND COMPTROLLER of the Treasury.

Due Colonel Frémont, as reported by Second Auditor	-	\$21,643 55
From which deduct the following (see difference)	-	365 00
Actual amount due Colonel Frémont	-	21,278 55

I admit and certify the above this 6th day September, 1848.

ALBION K. PARRIS,  
*Second Comptroller*.



DR.

*J. C. Frémont, lieutenant colonel mounted riflemen, in account with the United States.*

CR.

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	Mexican hostilities.	Amount.		Mexican hostilities.	Amount.
To balance carried down .....	\$21,278 55	\$21,278 55	By P. B. Reading, paymaster California batalion, for advances made to him per receipts herewith as follows:		
			On October 8, 24, 29, 1846 .....	\$1,113 00	
			On November 1, 5, 8, 10, 20, 1846 ..	1,330 91	
			On December 28, 1846 .....	500 00	
			On January 19, 25, 1847 .....	770 00	
			On February 7, 1847 .....	809 00	
			On March 8, 21, 27, 29, 30, 1847 .....	8,081 89	
			On April 4, 21, 1847 .....	9,038 75	
			By balance due J. C. Frémont per contra .....	21,643 55	\$21,643 55
			From which deduct the following amount, (see differences) .....		365 00
	21,278 55	21,278 55	Due Colonel Frémont .....		21,278 55

JOHN C. FREMONT.

N. S. CLARK.

TREASURY DEPARTMENT,  
Second Comptroller's Office, September 6, 1848.

THEODORE L. MOODY.

TREASURY DEPARTMENT,  
Second Auditor's Office, September 2, 1848.

*Difference in account of J. C. Frémont.*

Due him as reported by Second Auditor -	-	-	\$21,643 55
Due him as allowed by Second Comptroller	-	-	21,278 55
Difference	-	-	<u>365 00</u>

Thus explained:

Amount of voucher No. 16 suspended. This voucher is only a letter from David W. Alexander to P. B. Reading, informing him that Mr. T. Huttman had deposited \$365 with him, the said Alexander, subject to the draft of the said Reading.

Difference, as above, \$365.

N. S. CLARK.

SECOND COMPTROLLER'S OFFICE,  
September 6, 1848.

This voucher is delivered to Colonel Frémont this 7th September, 1848.

J. F. POLK.

*The United States to J. C. Frémont, esq., lieutenant colonel in California—Mexican hostilities.*

For disbursements made in California and New Mexico for the men under his command in years 1846 and 1847, per two extracts from the Third Auditor's office, attached, \$256 25.

D. E. DUNSCOMB.

TREASURY DEPARTMENT,  
Second Auditor's Office, September 2, 1848.

Examined.

JNO. M. BRODHEAD.

SECOND COMPTROLLER'S OFFICE, September 2, 1848.

[No. 7229.]

TREASURY DEPARTMENT,  
Second Auditor's Office, September 2, 1848.

I certify that I have examined and adjusted the account of J. C. Frémont, esq., as lieutenant colonel in California, &c., and find that he is entitled to credit for disbursements made in California, &c., for the men under his command in years 1846 and 1847, per two extracts from voucher No. 1 from the Third Auditor's office, Mexican hostilities, (\$256 25) two hundred and fifty-six dollars and twenty-five cents, to go to his credit on the books of the Fourth Auditor's office, as appears from the statement and vouchers herewith transmitted for the decision of the Second Comptroller of the Treasury thereon.

JOHN M. McCALLA, *Second Auditor.*

To the SECOND COMPTROLLER OF THE TREASURY.

SECOND COMPTROLLER'S OFFICE.

I admit and certify the above this second day of September, 1848.

ALBION K. PARRIS,  
*Second Comptroller.*

DR.

John C. Frémont, late lieutenant colonel mounted rifles, in account with the United States.

CR.

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Date.		Mexican hostilities.	To pay John Chas. Frémont, for beef furnished California Indians; act July 29, 1854.			Mexican hostilities.	To pay John Chas. Frémont, for beef furnished California Indians; act July 29, 1854.
1851. April 23	To W. H. Russell, major California battalion, for amount charged, per decision of the Secretary of War, March 31, 1851.....	\$140 00			By appropriation: For amount of his account for beef delivered to Commissioner Barbour, for the use of the Indians in California, in 1851 and 1852, provided per act approved July 29, 1854.....		\$183,825 00
1852. Sept. 15	To P. B. Reading, P. M., for amount received of him April 21, 1847....	631 85	\$242,036 25		For interest on the above from June 1, 1851, to August 1, 1854, at 10 per cent. per annum, as authorized per same act .....		58,211 25
	To balance carried down .....	771 85	242,036 25		By balance carried down.....	\$771 85	
						771 85	242,036 25
	To balance per contra.....	771 85			By balance per contra.....		242,036 25

Balance due John C. Frémont on this account .....	\$241,264 40
From which is to be deducted balance against him in Third Auditor's office, per letter herewith, dated July 31, 1854, marked A.	\$15,945 88
Balance against him in the Fourth Auditor's office, per letter of Auditor herewith, dated July 31, 1854, marked B .....	4,846 00
	20,791 88
Leaving a balance due him, as endorsed on this account, of.....	220,472 52

Examined: J. M.

TREASURY DEPARTMENT.  
Second Comptroller's Office, August 1, 1854.TREASURY DEPARTMENT.  
Second Auditor's Office, August 1, 1854.

W. MECHLIN.

JOHN C. FREMONT.

TREASURY DEPARTMENT,  
*Second Auditor's Office, August 31, 1848.*

SIR: I have the honor to present the following report upon claims of J. C. Frémont, esq., for disbursements made as lieutenant colonel in California in 1846 and 1847, for percussion caps, lead, powder, carbines, pistols, cutlasses, swords, rifles, &c., and if approved, will you please name the appropriation.

No.	Transferred to 3d Auditor.	Admitted.
A receipt for money advanced Henry King. This I purpose to charge Mr. King and credit Col. Frémont till Mr. King accounts .....		
		\$353 25
Do.....do.....		65 00
Do.....do.....		18 00
Do.....do.....		10 00
A receipt for money advanced John K. Wilson, United States navy. To be charged Mr. Wilson, and credited to Col. Frémont till Mr. Wilson accounts .....		
		139 00
Do.....do.....		24 00
A receipt for money advanced William H. Russell. To be charged Mr. Russell, and credited to Col. Frémont till Mr. Russell accounts .....		
		140 00
1 Bill of Henry Mellus, caps, lead, powder, solder, being part bill.....		116 00
2 Bill of Henry Mellus, carbines, pistols, cutlasses, (see Col. Frémont's endorsement).....		96 00
3 Bill of Jul. Abila, sword and pistols, (see Col. Frémont's endorsement).....		45 00
4 Bill of C. W. Flagg, sweet oil to clean arms.....		1 50
5 Bill of George Imrood .....		14 00
6 Bill of Willis Long \$20, Peter Quay \$20, and William Richardson \$25; charge J. K. Wilson, U. S. navy....		65 00
7 Bill of Henry Mellus, (see certificate upon abstract of \$1,529).....		84 00
8 Bill of Mellus & Howard, expended .....		1,000 00
9 Bill of Daniel Schys, damage to his rifle.....		15 00
10 Bill of William H. Russell, charge George S. Selden for the pistol .....		30 00
11 Bill of F. Laird, charge W. H. Russell for the rifle....		36 00
12 Bill of George Harland, charge C. D. Burruss for the rifle .....		10 00
13 Bill of Lieut. Edward Bryant, caps and powder.....		11 50
14 Bill of Jose Roderigos, a sword, charge W. H. Russell.....		5 00
		2,278 25
Add to the above clothing and subsistence contained in voucher No. 1 of Henry Mellus, not credited above, the whole to be paid under appropriation for "Mexican hostilities".....		
		422 50
		2,700 75

Very respectfully,

JOHN M. McCALLA,  
*Second Auditor.*

Hon. WILLIAM L. MARCY,  
*Secretary of War.*

*Appropriation, No. 1989—Mexican hostilities, ninety-six dollars.*

TREASURY DEPARTMENT,  
*Second Auditor's Office, November 7, 1854.*

I certify that there is due from the United States to J. C. Frémont, late colonel California battalion volunteers, the sum of ninety-six dollars, being the amount of his account for a payment made to Henry Mellus, for two carbines, three pairs of pistols, and two cutlasses, suspended in settlement September 5, 1848, No. 7243, now admitted on correction made, as per voucher herewith, to be paid to him, care of R. Burgess, esq., present, as appears from the statement and vouchers herewith transmitted for the decision of the Second Comptroller of the Treasury thereon.

P. CLAYTON, *Second Auditor.*

To the SECOND COMPTROLLER OF THE TREASURY.

—  
SECOND COMPTROLLER'S OFFICE.

I admit and certify the above this 8th day of November, 1854.

J. M. BRODHEAD,  
*Second Comptroller.*

Dr. *J. C. Frémont, late lieutenant colonel California battalion volunteers, in account with the United States.*

Cr.

	Mexican hostilities.		Mexican hostilities.
To balance carried down .....	\$96 00	By appropriation— For amount of voucher suspended in settlement No. 7243, September 5, 1848, now admitted on correction made .....	\$96 00
	96 00	By balance per contra.....	96 00

Vide settlement of September 5, 1848, No. 7243.

TREASURY DEPARTMENT, *Second Auditor's Office, November 7, 1854.*

JOHN M. SIMS.

SECOND COMPTROLLER'S OFFICE, *November 8, 1854.*

Examined: J. M

JOHN C. FREMONT.

*United States Ordnance Department to Henry Mellus, Dr.*

1846.					
November 23.	—To 2 carbines, at \$12	-	-	-	\$24 00
Do.	3 pair of pistols, at \$15	-	-	-	45 00
Do.	1 cutlass -	-	-	-	15 00
1847.					
January 1.	—To 1 cutlass -	-	-	-	12 00
					<hr/> 96 00 <hr/>

Received of Captain J. K. Wilson the sum of ninety-six dollars, in full payment of above account.

HENRY MELLUS.

*Duplicate.*—The above sum of \$96 should be passed to the credit of Lieutenant Colonel J. C. Frémont, he having furnished money to pay the same.

JOHN K. WILSON.

*Abstract of advances made by Lieutenant Colonel J. C. Frémont, of the California battalion, to officers of the Ordnance Department, in 1846 and 1847.*

1846.					
July 25.	—Captain Henry King, for amount advanced him per receipt	-	-	-	\$353 25
Oct. 10.	—Captain Henry King, for amount advanced him per receipt	-	-	-	65 00
40.	—Captain Henry King, for amount advanced him per receipt	-	-	-	18 00
31.	—Captain Henry King, for amount advanced him per receipt	-	-	-	10 00
1847.					
Mar. 21.	—Captain John K. Wilson, for amount advanced him per receipt	-	-	-	139 00
22.	—Captain John K. Wilson, for amount advanced him per receipt	-	-	-	24 00
23.	—Colonel Wm. H. Russell, for amount advanced him per receipt	-	-	-	140 00
					<hr/> 749 25 <hr/>

The last of the above vouchers was added to this abstract by me since Colonel Frémont's accounts were sent from the Ordnance Bureau.

R. BURGESS.

*Abstract of payments made by Lieutenant Colonel J. C. Frémont, in California, for ordnance stores in 1846 and 1847.*

Number.	Date.	Names.	Percussion caps.	Lead.	Powder.	Solder.	Carbines.	Pistols.	Cutlasses.	Swords.	Sweet oil.	Rifle powder.	Rifles.	Total.
				Lbs.	Kegs.	Lbs.					Bottles	Lbs.		
1	1846. July 9	Henry Mellus .....	5,000	300	2	3								\$116 00
2	1847. Jan. 1	.....do.....					2	6	2					96 00
3	Feb. 26	Juan Abila.....						2		1				45 00
4	April 9	C. W. Flagg.....									1			1 50
5	16	George Inwood.....	Caps		Powder.									14 00
6	21	J. K. Wilson, for due bills to—												
		Wm. Long .....												\$20 00
		Peter Quay .....												20 00
		Wm. Richardson .....												25 00
7	May 3	Henry Mellus .....					2	6	1					65 00
8	April 18	Mellus & Howard .....										500		84 00
9	Feb. 22	Daniel Schleys, for injury to his rifle.....												1,000 00
10	Jan. 1	George S. Selden .....						1						15 00
11	15	Richard T. Jacob.....	1,200										1	30 00
12		George Harlan.....											1	36 00
13		Edwin Bryant.....	1,500										4	10 00
14		Joseph Roderegos.....								1				11 50
														5 00
			7,700	300	2	3	4	15	3	2	1	504	2	1,529 00

I certify that the stores above charged for were actually purchased and paid for as charged, and were issued to the battalion under my command.  
J. C. FRÉMONT.

JOHN C. FRÉMONT.



TREASURY DEPARTMENT,  
Second Auditor's Office, August 31, 1848.

SIR: With this I have the honor to transmit for your approval report of sundry expenditures of the late Lieutenant Colonel J. C. Frémont, in 1846 and 1847, in California, amounting to \$2,278 25.

Very respectfully,

JNO. McCALLA, *Second Auditor.*

Hon. WM. L. MARCY,  
*Secretary of War.*

*Difference in account of Lieutenant Colonel J. C. Frémont.*

Amount admitted by Second Auditor	-	-	-	\$2,700 75
" " " Comptroller	-	-	-	2,436 25
				<u>264 50</u>

Thus explained:

Voucher No. 1.—The following amount allowed by the Second Auditor, being for subsistence, the same having been admitted to the credit of Colonel Frémont by the Third Auditor	-	-	-	\$63 00
Voucher No. 2.—Suspended, the receipt being in favor of Captain J. K. Wilson	-	-	-	* 96 00
Voucher No. 5.—Suspended, the receipt being in favor of Captain J. K. Wilson	-	-	-	14 00
Voucher No. 6.—Suspended, no articles mentioned nor no receipts produced	-	-	-	65 00
Voucher No. 9.—Suspended, no receipts produced from Daniel Schys	-	-	-	15 00
Voucher No. 13.—Suspended, no receipt being produced from Wm. H. Harris	-	-	-	11 50
				<u>264 50</u>

SECOND COMPTROLLER'S OFFICE,  
September 5, 1848.

N. L. CLARK.

The suspended vouchers are delivered to Colonel Frémont, the 7th day of September, 1848.

J. F. POLK.

\* Voucher number two, for \$96 admitted in settlement made in November, 1854.

[No 7243.]

TREASURY DEPARTMENT,  
*Second Auditor's Office, September 1, 1848.*

I certify that I have examined and adjusted the account of J. C. Frémont, esq., late lieutenant colonel in California, and find that he is entitled to credit, for disbursements made for munitions of war, furnished for and to the officers and men under his command, &c., in California, years 1846 and 1847, Mexican hostilities, \$2,700 75, (two thousand seven hundred dollars and seventy-five cents) to go to the credit of J. C. Frémont, esq., on the books of the *Fourth Auditor's* office, as appears from the statement and vouchers herewith transmitted for the decision of the Second Comptroller of the Treasury thereon.

JNO. MCCALLA, *Second Auditor.*

To the SECOND COMPTROLLER OF THE TREASURY.

—————  
*Mexican Hostilities—\$2,436 25.*

TREASURY DEPARTMENT,  
*Second Comptroller's Office, September 5, 1848.*

I certify that I have revised and examined the account of J. C. Frémont, late lieutenant colonel, and find that there is due him, for disbursements made by him in California in 1846 and 1847

By Henry King, captain California battalion, per his receipts dated July 25, and October 10, 30 and 31, 1846	\$1,687 00
By John K. Wilson, captain California battalion, per his receipts dated March 21 and 22, 1847	446 25
By Wm. H. Russell, major California battalion, per his receipts dated March 23, 1847	163 00
	140 00

Due him, ("M. H.")	2,436 25
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Two thousand four hundred and thirty-six dollars and twenty-five cents, to go to the credit of J. C. Frémont, on the books of the *Fourth Auditor.*

ALBION K. PARRIS,  
*Second Comptroller.*

—————  
 TREASURY DEPARTMENT,  
*Fourth Auditor's Office, August 15, 1856.*

SIR: A resolution of the Senate, passed on the 11th of August, 1856, calling upon the President for information respecting the accounts and other official transactions of John C. Frémont with the government of the United States, having been referred to this office, with directions to furnish the information required by the said resolution, and any other information which may serve to exhibit truly the nature of Colonel Frémont's pecuniary transactions with the government, I have the honor to state, that in the year 1846 the said J. C.

Frémont, as major commanding the California battalion, received from Purser William Speiden of the navy, under orders of Commodore R. F. Stockton, the amount of \$2,500, and in the year 1847 received, as governor of California, from the same purser, under like order, the sum of \$6,500; and that in the year 1846, as military commandant of California, he received from Captain Archibald H. Gillespie of the United States marine corps the amount of \$10,854 as major commanding battalion United States forces he received from the same officer \$4,000, and as lieutenant colonel United States army the further sum of \$4,195 40. He also received in the year 1846 as lieutenant colonel United States army, from Captain A. H. Gillespie of the marine corps, provisions and clothing to the amount \$1,338 13, making the whole amount received by him from the funds of the Navy Department \$29,383 53. Of this amount he repaid to Captain A. H. Gillespie the sum of \$200. The sum of \$1,338 13 was settled in the Second Auditor's office, and the balance of \$27,845 40 was discharged, by transfers of credits from the books of the First and Second Auditors to the books of this office.

I enclose a copy of all the vouchers on file in this office relating to transactions of the said J. C. Frémont with the government. There is no other information in the office upon the subject.

I have the honor to be, sir, very respectfully, your obedient servant,

A. O. DAYTON.

Hon. JAMES GUTHRIE,  
*Secretary of the Treasury.*

ANGELOS, UPPER CALIFORNIA,  
August 16, 1846.

SIR: Required for the use of the battalion under my command the sum of one thousand dollars.

For account operations in California \$1,000.

J. C. FRÉMONT,  
*Major commanding California battalion*

Commodore R. F. STOCKTON,  
*Commanding operations in California.*

Purser Speiden will comply with the above requisition, and transmit receipts for the amount specified.

R. F. STOCKTON,  
*Commodore, commanding operations in California*

Received, Angelos, Upper California, August 16, 1846, of Purser Wm. Speiden, one thousand dollars in gold, equal to sixteen dollars to the ounce or doubloon.

J. C. FRÉMONT,  
*Major, commanding California battalion  
United States forces*

In gold \$1,000.

TREASURY DEPARTMENT,  
*Fourth Auditor's Office, August 15, 1856.*

I certify that the above is a true copy of an original voucher on file in this office.

A. O. DAYTON, *Fourth Auditor.*

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HEAD QUARTERS OF THE CALIFORNIA  
 BATTALION, UNITED STATES TROOPS,  
*San Diego, August 8, 1846.*

\$200.

Received from Major J. C. Frémont, commanding California battalion, two hundred dollars on account of public expenditures.

ARCH'D H. GILLISPIE,  
*Captain and Adjutant California Battalion.*

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TREASURY DEPARTMENT,  
*Fourth Auditor's Office, August 15, 1856.*

I certify that the above is a true copy of an original voucher on file in this office.

A. O. DAYTON, *Fourth Auditor.*

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CIUDAD DE LOS ANGELES,  
*February 24, 1847.*

SIR: The sum of six thousand and five hundred dollars is required to make payment to the California battalion.

Very respectfully, your obedient servant,

J. C. FRÉMONT,  
*Governor of California.*

Commodore R. F. STOCKTON,  
*United States ship Congress.*

Approved, San Diego, February 24, 1847, for six thousand and five hundred dollars, and Purser Speiden will pay the same.

R. F. STOCKTON, *Commodore.*

Received, San Diego, February 24, 1847, of Purser Wm. Speiden, six thousand and five hundred dollars in full for the above requisition, having signed receipts in triplicate.

Very respectfully, your obedient servant,

J. C. FRÉMONT,  
*Governor of California.*

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TREASURY DEPARTMENT,  
*Fourth Auditor's Office, August 15, 1856.*

I certify that the above is a true copy of an original voucher on file in this office.

A. O. DAYTON, *Fourth Auditor.*

CIUDAD DE LOS ANGELES, *August 25, 1846.*

SIR: The sum of five hundred dollars is required for the use of the California battalion under my command.

Very respectfully,

J. C. FRÉMONT,

*Major Commanding California Battalion.*

Commodore R. F. STOCKTON,

*Commander-in-chief of naval forces  
and Governor of California.*

Purser Speiden will comply with the above requisition and take the necessary receipts for the same.

R. F. STOCKTON,

*Commander-in-chief and Governor  
of the Territory of California.*

Received, August 25, 1846, of Purser Wm. Speiden, five hundred dollars in full for the above requisition.

J. C. FRÉMONT,

*Major commanding California Battalion.*

\$500.

TREASURY DEPARTMENT,

*Fourth Auditor's Office, August 15, 1856.*

I certify that the above is a true copy of an original voucher on file in this office.

A. O. DAYTON,

*Fourth Auditor.*

CIUDAD DE LOS ANGELES, *August 27, 1846.*

SIR: The sum of one thousand dollars is required for the use of the California battalion under my command.

Very respectfully,

J. C. FRÉMONT,

*Major commanding California Battalion.*

Commodore R. F. STOCKTON,

*Commander-in-chief of naval forces  
and Governor of California.*

Purser Speiden will comply with the above requisition and take the necessary receipts for the same.

R. F. STOCKTON,

*Commander-in-chief and Governor  
of the Territory of California.*

Received, August 27, 1856, of Purser Wm. Speiden, one thousand dollars in full of the above requisition, the same being paid in gold, sixteen dollars to the ounce.

J. C. FRÉMONT,  
Major commanding California Battalion.

[\$1,000.]

TREASURY DEPARTMENT,  
Fourth Auditor's Office, August 15, 1856.

I certify that the above is a true copy of an original voucher on file in this office.

A. O. DAYTON,  
Fourth Auditor.

Invoice of clothing and provisions received from Purser William Speiden, United States steamer Congress, and transferred to Major J. C. Frémont, commanding California battalion, by Captain Archibald H. Gillespie.

*Clothing.*

100 linen frocks, at 94 cents	-	-	-	-	\$94 00
100 pair cloth trowsers, at \$4 68	-	-	-	-	468 00
50 pea jackets, at \$9 63	-	-	-	-	461 50
100 pair woollen socks, at 27 cents	-	-	-	-	27 00
100 blankets, at \$1 93	-	-	-	-	193 00
50 pair white kersey drawers, at \$1 10	-	-	-	-	55 00
					<hr/>
					1,298 50

*Provisions.*

2 boxes tea, weighing 50 pounds, at 81½ cents	-	-	40 63
			<hr/>
			1,338 13

JULY 24, 1846.

Received, Monterey, July 24, 1846, from Captain Archibald H. Gillespie, the above stated clothing and provisions, amounting to one thousand three hundred and thirty-eight dollars and thirteen cents, for the use of the California battalion of mounted riflemen United States troops.

J. C. FRÉMONT,  
Lieutenant Colonel U. S. Army.

TREASURY DEPARTMENT,  
Fourth Auditor's Office, August 15, 1856.

I certify that the above is a true copy of an original voucher on file in this office.

A. O. DAYTON, Fourth Auditor.

HEADQUARTERS OF THE CALIFORNIA BATTALION  
UNITED STATES TROOPS,

*San Diego, August 3, 1846.*

[\$4,000.]

Received from Captain Archibald H. Gillespie, adjutant of California battalion United States troops, four thousand dollars, account of public expenditures.

J. C. FRÉMONT,

*Major Commanding Battalion U. S. Forces.*

TREASURY DEPARTMENT,

*Fourth Auditor's Office, August 15, 1856.*

I certify that the above is a true copy of an original voucher on file in this office.

A. O. DAYTON,

*Fourth Auditor.*

TERRITORY OF CALIFORNIA,

*Ciudad de los Angeles, September 3, 1846.*

[\$850.]

Received from Captain Archibald H. Gillespie, military commandant of the southern department, the sum of eight hundred and fifty dollars, on account of the military expenditures of this Territory.

J. C. FRÉMONT,

*Military Commandant of California*

TREASURY DEPARTMENT,

*Fourth Auditor's Office, August 15, 1856.*

I certify that the above is a true copy of an original voucher on file in this office.

A. O. DAYTON,

*Fourth Auditor.*

TERRITORY OF CALIFORNIA,

*Ciudad de los Angeles, September 6, 1846.*

[\$4,195 40.]

Received from Captain Archibald H. Gillespie the sum of four thousand one hundred and ninety-five dollars and forty cents, the same being for military expenditures in this Territory.

J. C. FRÉMONT,

*Lieutenant Colonel U. S. Army.*

TREASURY DEPARTMENT,

*Fourth Auditor's Office, August 15, 1856.*

I certify that the above is a true copy of an original voucher on file in this office.

A. O. DAYTON,

*Fourth Auditor.*



HEADQUARTERS OF THE SOUTHERN DEPARTMENT  
OF THE TERRITORY OF CALIFORNIA,  
*Ciudad de los Angeles, September 8, 1846.*

[\$10,000.]

Received from Captain Archibald H. Gillespie, military commandant of the southern department of the Territory of California, the sum of ten thousand dollars, on account of the military expenditures of this Territory.

J. C. FRÉMONT,  
*Military Commandant of California.*

TREASURY DEPARTMENT,  
*Fourth Auditor's Office, August 15, 1856.*

I certify that the above is a true copy of an original voucher on file in this office.

A. O. DAYTON,  
*Fourth Auditor.*

DEPARTMENT OF THE INTERIOR,  
*Office Indian Affairs, August 16, 1856.*

SIR: I have the honor herewith to return the letter of the Secretary of the Treasury of the 14th, covering a copy of a resolution of the Senate of the 11th instant, calling on the President for information in relation to the accounts of Colonel J. C. Frémont, and in obedience to your direction endorsed thereon, transmit extracts from, or copies of, all the papers of record and of file in this office, pertaining to the call of the Senate.

The documents in relation to the claims set up by the Delaware Indians, for the expedition of 1853, have reference to an arrangement between Colonel Frémont and those Indians, with which the government has no connexion, that being a private expedition; but, as the Delawares do not distinguish between the acts of Colonel Frémont, when in and out of public service, and urged me to settle their demand when here in May last, I have concluded to send the papers in this case with the others.

I deem it proper to state, that the liabilities incurred by Agents Barbour and Wozencraft and Sub-agent Johnson, without any authority from the department, for cattle and other stock animals, exceeded, according to a report made by my predecessor, the sum of seven hundred thousand dollars. The drafts drawn by them were upon your predecessor, and by him repudiated, and as a consequence no record of them was made in this office. I have reason to believe, however, that a majority of them were in favor of John Charles Frémont.

I find by reference to volume 10 of United States Statutes at Large, page 804, that the Secretary of the Treasury was directed by Congress to pay to John Charles Frémont, in full of his account for beef delivered to Commissioner Barbour, for the use of Indians in California,



the sum of one hundred and eighty-three thousand eight hundred and twenty-five dollars (\$183,825) with interest thereon from the first day of June, eighteen hundred and fifty-one, at the rate of ten per cent. per annum. The act was approved on July 29, 1854, and on account of the direction given by it, this office has no record by which it can state the date of the payment or the amount thereof, but it is believed it exceeded the sum of two hundred and thirty-five thousand dollars (\$235,000.)

Very respectfully, your obedient servant,

GEO. W. MANYPENNY,  
*Commissioner.*

Hon. R. McCLELLAND,  
*Secretary of the Interior.*

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SAN FRANCISCO, CALIFORNIA, *May 12, 1851.*

SIR: Being about establishing a cattle rancho on the Mariposa river, neighboring to the Indian tribes of the Sierra Nevada, with whom you are engaged in treating, I submit to your consideration the following *proposals*: \*

I propose to furnish for the two fiscal years commencing the 30th of June proximo, and ending June 30, eighteen hundred and fifty-three, all the animals, beef cattle, brood mares, and brood cows which you shall need for the execution of your treaties with the Indian tribes in the district under your direction, and which extends from the headwaters of the San Joaquin river to the head of the Sacramento. I engage and bind myself to make the deliveries, in the course of the present and following year, at such times and places within the district as you shall indicate; and to commence the deliveries one month after the date of notification to me of treaties as they shall be successively made.

I propose to furnish beef cattle upon the hoof at fifteen cents per pound nett; brood mares, between the ages of four and six years, at seventy-five dollars each; and brood cows, between the ages of three and five years, at seventy-five dollars each.

Very respectfully,

JOHN C. FRÉMONT.

O. M. WOZENCRAFT, Esq.,  
*Commissioner, &c., &c., &c.*

I hereby accede to the foregoing proposal so far as the furnishing of present supplies of beef to those Indians with whom I may treat; and will urge on the department the adoption of the entire proposal as soon as the treaties are approved by the President and the Senate.

Very respectfully,

O. M. WOZENCRAFT.

*Extract of a letter from Adam Johnson, United States Indian sub-agent, dated San Francisco, California, December 3, 1851, addressed to Hon. A. H. H. Stuart, Secretary of the Interior.*

I am not sure that any provisions were promised them for the present; yet others in the valley having been furnished, they also expected to be supplied. Although I did not know the conditions of any treaty in that region, I should, as a matter of policy, have furnished those Indians with some subsistence, only for the remoteness of their position. It is frequently difficult to make them understand that what has been promised them by treaty is not to be furnished them until a future day, after the ratification of the treaties. This fact, and the fact that other Indians in their vicinity have received presents, and been furnished with some subsistence, while they have not been treated with or received either, may, to some extent, have induced them to commit those recent depredations. Having heard of their disaffection, I should have taken the responsibility to furnish some subsistence heretofore, had it not been, as I have before said, for the great distance of land transportation and the limited means which I possessed to effect it. I was then, and am still, fully satisfied that whatever such a course might cost the government, it would be better than a war, which I saw must be the alternative. This dissatisfaction seemed to be increasing daily; and knowing that no action of the government could be taken in time to furnish the tribes at and south of the Tulare lake with provisions before the rainy season set in, I determined to take the responsibility of furnishing them with some subsistence for the present before the rains began to fall, when it would be impossible to do so. In consequence of this state of things, I repaired to this city, to negotiate, if possible, for such amount of supplies as might be necessary to keep them in the valley contented for the winter. After some difficulty, I found parties willing to furnish such supplies and rely upon the government for satisfaction. Those persons are fully advised that no appropriation has as yet been made for such purposes. One of the individuals to whom I refer is Colonel J. C. Frémont, whose extensive acquaintance in the southern or stock region of the State enables him to command any quantity that may be required. I, therefore, contracted with him for supplies, and had them on the way for the Indians in the region of the Tulare lake before the news of the outbreak reached me. Had I succeeded in reaching their country before hostilities commenced, I am sure I could have prevented anything of the kind.

The course taken on my part, in advance of instructions, may be objectionable, but I trust my motives may be understood, and that the representation from this State, who, I presume, understand the character of the Indians in California, and the situation of things here, may explain to the government the absolute necessity of my having adopted it.

I have the honor to be, respectfully, &c., your humble servant,

ADAM JOHNSON,

*U. S. Indian Sub-Agent, Valley of San Joaquin.*

Hon. A. H. H. STUART,

*Secretary of the Interior, Washington City.*

*Extract from a communication of the 5th January, 1852, from G. W. Barbour, commissioner for the Indians in California, to Hon. L. M. Lea, Commissioner of Indian Affairs.*

After separating with my colleagues, many proposals were made by different persons to supply the amount of beef, &c., necessary to carry out the treaties that had or might be made by me. I invariably answered such propositions by an assurance that I had no direct authority to make such contracts. On the 25th of May I received from Col. J. C. Frémont a letter, containing a proposition to supply beef, &c., a copy of which is herewith enclosed. After consulting with some of the officers in command of the escort, and reflecting on what had been done, and knowing as well as I did the necessity for something to be done to secure the peace of the country, and save not only the lives and property of the citizens but the Indians from destruction, I determined on the 28th of May to make a conditional contract with Frémont; but he having arrived in camp, I would make no contract with him until I had shown to him my letter of appointment, instructions, &c., assuring him at the time that I did not believe that I was authorized by my instructions to make such contracts; and that if made at all, they would not be paid until Congress passed upon them, and provided a fund out of which they could be paid, besides the approval or rejection of such contracts by your department. After examining those papers, he professed an entire willingness to "take the chances" under all the circumstances. I then addressed him a note, under date of the 28th of May, a copy of which I herewith enclose, concluding with him a conditional contract, as you will perceive; of all which I in due time informed your department.

Colonel Frémont in a few days started for Los Angeles, in the vicinity of which place he contemplated purchasing cattle to fulfil said contract. I afterwards met with him in Los Angeles in the last day of June or the first of July, and informed him that I had received a letter from Colonel McKee of the commission, in which he stated that only the sum of \$25,000 had been appropriated for the object of our mission, and that your department had instructed the commissioners to make no further stipulations for feeding the Indians during the year 1851 in any treaties that we might make after the receipt of the letter. He, Colonel Frémont, then went on to furnish those tribes with whom treaties had already been concluded with beef only, to the amount of the drafts drawn by me on the Secretary of the Interior (say \$183,825.)

After the delivery of a portion of the beef, Colonel Frémont called upon me, and requested as a favor that I would draw on the Secretary of the Interior three several drafts—one for \$5,000, one for \$3,000, and one for \$2,000—to enable him to carry out his contract. I objected to doing so, telling him that I had no authority for so doing. He replied that he could not get along without, unless at a great sacrifice; that if the drafts were drawn, he had friends who knew the difficulties in the way of the probable honoring of the drafts, but who would nevertheless aid him if it was put into that shape, knowing that if I drew the drafts as desired by him, it would make no difference.

so far as the government was concerned, in the contract or transaction, and at the same time be of essential service to him as he stated. I consented, and drew accordingly. Subsequently, and after the delivery of the remainder of the beef, I drew, according to his (Colonel Frémont's) request, the other drafts on the same department or officer.

In doing so, I knew I was acting without any direct authority, and could only justify the act by the pressing and urgent necessities of the case, and in the absence of direct instructions.

*The United States to John C. Frémont.*

DR.

To two hundred and seventy head of beef cattle, averaging each five hundred pounds net weight, left by Alexander Godey, at different points, in the valley of the San Joaquin for the use of the Indians, agreeably to the treaties, as follows, viz:

At the Tejon, 84; at the Tulare lake, 50; at the Cahwia river, 36; at the King's river, 34; at the San Joaquin, 34; at the River Fresno, 34; amounting to 135,000 lbs., \$20,250.

Received at the military post of Fort Miller, on the San Joaquin river, from Colonel G. W. Barbour, Indian agent for the United States in California, the twenty-eighth day of August, 1851, the sum of twenty thousand two hundred and fifty dollars, in drafts on the Hon. Secretary of the Interior, in full of the above amount.

JOHN CHARLES FREMONT.

*The United States to John C. Frémont.*

DR.

To 22,000 lbs. beef furnished Indians at Tejon -	\$3,300 00
To 2,500 lbs. beef furnished Juan's rancheria -	375 00
To 30,000 lbs. beef furnished Indians at Cahwia -	4,500 00
To 21,000 lbs. beef furnished King's river Indians -	3,150 00
To 13,000 lbs. beef furnished San Joaquin Indians -	1,950 00
To 16,000 lbs. beef furnished at the Fresno by Alex. Godey -	2,400 00
To 7,500 lbs. beef furnished at the Fresno by V. D. Haler -	1,125 00
To 28,500 lbs. beef furnished at Fresno from Mariposa ranche -	4,275 00
To 950,000 lbs. beef delivered, August 27, at San Joaquin -	142,500 00
	<hr/>
	163,575 00
By draft on Hon. Alexander H. H. Stuart -	10,000 00
	<hr/>
	153,575 00

Received at the military post on the San Joaquin river, from Colonel G. W. Barbour, Indian agent for the United States in California, this 28th day of August, 1851, the sum of one hundred and fifty-three thousand five hundred and seventy-five dollars, in drafts on the Hon. Secretary of the Interior, in full of the above amount.

JOHN CHARLES FRÉMONT.

*Extract from a communication of Redick McKee, dated San Francisco, February 17, 1852, to the Hon. Luke Lea, Commissioner of Indian Affairs.*

"I also enclose (No. 3) a statement of our indebtedness for provisions, so far as I have a knowledge of the same. I hope Congress will at an early day enable you to transmit funds to pay these debts. I know them to be just, and their creation unavoidable, in the then existing state of the country. Most of them were created, or at least arrangements made involving them, before I was aware that your application for \$75,000 was cut down to \$25,000. There are other claims held, as I understand, by parties in this State for cattle furnished on contracts at very high rates, supplied in the middle and southern districts. Of these I have no definite knowledge. Have steadily opposed the making of any contracts implicating the government until after the treaties are ratified, except small and immediately pressing demands at the time of making treaties, and have so advised my colleagues."

*Account of debts and liabilities of the Indian Department in California referred to in R. McKee's letter to Hon. Luke Lea, of Feb. 17, 1852.*

Date.	To whom paid.	For what paid.	Amount.
1851.			
May 2	R. McKee, acceptor of G. W. Barbour's draft for Thomas W. Lane.	Beef, &c. ....	\$1,825
30	.....do.....do..	(Endorsed to John White).....	1,050
June 10	.....do.....do..	.....	500
July 26	.....do.....do..	.....	1,500
Oct. 1	R. McKee, (for J. C. Edwards).....	Groceries, &c. ....	479
Aug. 7	J. Joseph.....	Bill of 4,012 pounds hard bread .....	401
Ap. May	Moorehead, Waddington, & Whitehead ...	Flour for southern and Sacramento treaties.	676
	Don Pablo de la Toba .	201 head of cattle for Indians on the Merced and San Joaquin. ....	8,040
	G. W. Marshall.....	Certified per order of J. M. Estell .....	6,598
	J. M. Estell, certified on account.....	Balance on cattle for northern superintendent.	2,000
	Do.....do..	.....do.....do.....do.....	1,000
	Do.....do..	Flour and beef for Indians from Clear Lake.	500
	Chenery & Hubbard...	100 head of cattle for Ind's on Rapin riv., say.	*4,000
	Do.....do..	100 for Indians on Clear Lake, say.....	*4,000
			32,569

\* Accounts for these not yet received. Contracted for at 8 cents per pound, or \$40 per head, average 500 pounds.

DISBURSING AGENCY INDIAN

DEPARTMENT IN CALIFORNIA,

San Francisco, May 15, 1852.

SIR: My last dispatch, under date of 1st instant, acknowledged receipt of your letters of 26th February and 20th and 22d March.

We have dates from your city to the 9th ultimo, but no account of the arrival of Lieutenant Beall. Deeming it proper that you should be advised of every movement touching Indian matters in this quarter, I enclose printed slips from the Daily Herald of this city, and the Transcript and Journal of Sacramento, the former containing my letter suppressed by the governor, the latter strictures upon the late movement of Hon. W. McCorkle, asking an appropriation of \$520,000 to pay debts incurred by the Indian agency in California. To me the matter is wholly inexplicable. I enclose also copies of notes addressed yesterday and to-day to the editors of those journals, with a view to ward off the blame which those strictures were designed to throw upon the department and the administration. Unless such attacks are met and promptly nailed to the counter, they go at once into circulation and do mischief. I have letters from the temporary agent in Shasta and Scott's valleys to the 4th instant. The Indians were perfectly quiet and inoffensive, but short of provisions. The salmon fishery will soon commence and I hope supply their wants.

I am, very respectfully, your most obedient servant,

REDICK McKEE.

Hon. LUKE LEA, *Commissioner, &c., Washington City.*

#### INDIAN AFFAIRS.

SAN FRANCISCO, *May 14, 1852.*

GENTLEMEN: In your editorial yesterday, in reference to the amendment said to have been proposed by Mr. McCorkle of this State to the deficiency bill, then before Congress, you take occasion, as has been too much your "wont," to jump at conclusions, and make a fling at the administration over the heads; or in connexion with, the United States Indian agents in California, which strikes me as both illogical and unjust.

I will therefore trespass on your columns to say, that I presume there is some mistake about this reported amendment offered by Mr. McCorkle; that it has either been misprinted, or if correctly reported, the honorable member, in his anxiety to approve himself the constant friend of the "dear people," has volunteered his services in a matter about which he was but illy advised, and in a manner which could have insured for his amendment nothing but instant rejection.

1. The sum called for, \$520,000, to pay debts contracted by the Indian commissioners or agents in California, is only about \$500,000 more than there is any necessity for at present, so far as my knowledge of the debts extends; and I should conjecture full \$400,000 more than necessary, even if it shall prove true as reported, that Colonel Fremont has valuable contracts, at very satisfactory prices, with one of my colleagues for the supply of the southern Indians, upon which money is due.

2. If Mr. McCorkle asked for such an appropriation it must have been not to pay debts already contracted, but to provide means estimated as necessary to carry out the provisions of the several treaties



made with the southern Indians. That it was a volunteer movement on his part I infer from the fact, that up to that time the treaties had not been acted on in the Senate, and until they are ratified it is not customary even for the Department of Indian Affairs to apply for the appropriations necessary to carry them out.

3. I think you are fully justified in withholding your belief of "*the one half of the charges which have been made concerning the management of our Indian affairs,*" as well as in your closing remarks: "If California desires to obtain anything from the general government, she must discountenance these enormous Indian and other speculations, her agents in Congress must not press them, to the exclusion of proper and legitimate appropriations, if they do, it will be as heretofore, we shall obtain nothing."

It is quite probable that Mr. McCorkle has, in this movement, acted very injudiciously for California interests in Congress.

4. I have had occasion to complain several times, Messrs. Editors, that you have allowed your columns to be used in a way calculated to do me personally very great injustice. You write or print about "*the Indian commissioners,*" or "*the Indian agents,*" condemn the acts of all alike, as if they were a *joint board of directors*; of this I have complained time and again, but without success. In vain have I defied those excessively patriotic members of the legislature, or writers for the press, who have indulged in these attacks, to discriminate, to point out a single abuse, or speculation, in which I have been implicated, or in any way "*mixed up,*" and I now repeat the challenge to you, "*and all the rest of mankind*" in California, if such abuses exist, in my department of the public service, expose them in welcome: I am responsible only for my own acts. If favoritism has been shown to Colonel Frémont, or any other distinguished democrat, in California, to the prejudice of others, or the public interest, lay it bare; but grapple facts, not surmises, or street gossip.

If contracts have been made for beef, other than such as were authorized by the department, they will, of course, be disavowed, and if claims arising under such contracts are ever paid, the responsibility will fall upon Congress, a large majority of whom you claim to be your political friends, and the special guardians of the public interest. In all such matters, I say, "*let every tub stand on its own bottom.*"

Very respectfully, your obedient servant,

R. McKEE.

EDITORS TIMES AND TRANSCRIPT, *Sacramento City.*

SAN FRANCISCO, *May 15, 1852.*

GENTLEMEN: In your paper of yesterday, I notice your remarks about the "*unpaid drafts of the Indian commissioners in California,*" upon which subject I addressed a note on the 14th instant to the editors of the "*Times & Transcript,*" which I presume will appear on Monday. As the conductors of an independent journal, I take it for granted you wish to give your readers a true view of public affairs, and therefore

ask the favor of your transferring that note to your columns the day after its publication in the "Transcript." If there is any just foundation for the movement of Mr. McCorkle, asking an appropriation of \$520,000 to meet debts incurred by the Indian agents in this State, I am wholly ignorant of the fact; and quite as ready to denounce the extravagance as uncalled for, wholly unauthorised by law, and unnecessary, as yourselves, or any other person in the State. In the note referred to, I assigned some reasons for thinking the whole matter founded upon mistake and misapprehension. Have you ever had time to read my remarks before the committees on Indian affairs, published in the "Union" of 26th March? From the tenor of your remarks, I presume you have not. Permit me to refer you to that address.

Very respectfully, your obedient servant,

R. KcKEE.

Messrs. V. E. GEIGER & Co.,  
*Editors Daily Democratic State Journal, Sacramento.*

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*Extract from a letter from agent Redick McKee, disbursing agent for Indian department in California, San Francisco, July 1, 1852.*

"With the cattle, or other contracts of Messrs. Barbour, Wozencraft & Johnston, I have in no way participated, and disapprove of the course by which it appears they have implicated themselves, if not the department as fully as yourself, to the extent of a few hundred head of Spanish cattle for the southern tribes, involving an amount of perhaps 12, 15 or \$20,000. Their disregard of instructions might possibly have been justified by the *peculiar* circumstances of the country, but, for buying cattle in such numbers, mainly for the purpose of feeding Indians then and now, mining for, or working on, the ranchos of individuals or firms, upon the Fresno or San Joaquin, enormous prices, and averaged at 500 pounds each, *on the hoof*, I can imagine no possible necessity or justification. It is known to every cattle dealer that Spanish cattle in droves or herds *average* only about 400 pounds *net*. In the spring of 1851, when in that country, I had occasion to purchase for the board some 3 or 400 head of large picked cattle for those very tribes, partly on contract, at \$40 per head, (several head being thrown in to make up the average weight, by estimate 500 pounds;) that was the highest rate asked, with the understanding that, if the appropriation of \$75,000 was not granted, the contractor was to await another year for his money. For cash in hand, I could have purchased any number at a much lower rate; indeed, ranch owners, in the southern part of the State, were offering, freely, their best, full grown, picked cattle at from \$12 to \$16 per head; and at \$40, I am sure I could have contracted for fifty thousand, *deliverable at any point in that or the middle district*. But those I bought, with such provisions as the Indians might earn by their work, added to their own supplies of nuts, fish, &c., &c., it was thought would meet their wants until the treaties were ratified.



"These facts, I deem it my duty to report, without prejudice or interest in the matter of any kind, pecuniary or personal, other than what is necessarily involved in the general character and success of our negotiations. I confess to a feeling of deep regret and mortification that, through the unauthorised acts of my colleagues and Sub-agent Johnston, the department should be involved in the troublesome and thankless investigations, and the general system adopted by the commissioners, for the pacification and improvement of the California Indians, if not endangered, at least delayed."

Hon. LUKE LEA,

*Commissioner Indian Affairs, Washington.*

*(Referred to Office Indian Affairs, January 24, 1852.)*

SIR: The continued delay of Mr. Barbour, the government agent in California for making Indian treaties, who has not yet arrived with the treaties, and the ruinous consequences to Mr. Frémont from this delay, induce me to ask you to proceed at once to endeavor to obtain an appropriation in the deficiency bill to cover the amount of the drafts he has received, on the evidence submitted to you. These are—

1. The drafts themselves, which have been presented and protested and which are evidence of their own existence, and pre-suppose their own correctness.

2. The original proposals of Mr. Frémont to furnish the beef, a copy being annexed to this paper.

3. The original letters of the agent, Mr. Barbour, accepting the proposals, and declaring them to be the lowest and best terms offered by any responsible bidder.

4. A statement from Mr. John Walker, well known as a butcher and cattle dealer both in Washington and San Francisco, from which it appears that the contract price with Mr. Frémont was below the ready money prices of beef in San Francisco, and below what the government vessels, the lines of steamers, and citizens paid him; and that he would not have taken Mr. Frémont's contract when made, nor take such a one now.

5. The letter of Mr. McCorkle, representative from California, stating the price of beef in 1851, at Sacramento, to be 25 cents per pound, and out in the mining districts for 30 to 50 cents per pound.

6. Statement from Mr. Henry B. Edwards, showing the actual delivery of the cattle, their weight, number, &c., and the urgency to the commissioner to have them delivered promptly; and showing the current price on the San Joaquin to be 25 cents all round, and ready money.

7. The statement of Lieutenant Beale, of the United States navy, testifying to the same facts with Mr. Henry B. Edwards, and further to the urgency of the commissioner to have the cattle delivered, his promises to have the treaties at Washington before the meeting of Congress; refusing, on that account, to remain longer to treat with

the southern Indians, though Colonel Frémont urged him to do so as the only means of keeping them in peace and friendship with the United States.

These evidences, thus submitted, are deemed sufficient to authorize an appropriation to pay the drafts, and also to make an equitable compensation for the delay of payment occasioned by the non-arrival of the agent. The damages to Colonel Frémont are *four per cent. per month on seventy thousand dollars of the drafts from the time they were presented till paid*. He is now in the third month of that ruinous interest, and the agent not yet arrived with the treaty; and he or his friends having no power to compel him to come on or to get the treaties from him.

Colonel Frémont knew there was no appropriation to meet the drafts. He took the risk of Congress making the appropriation; but in the full faith that the treaties would be presented at the commencement of the session.

The acceptance of the proposals of Colonel Frémont contain a stipulation that they are to be subject to the approval of the Indian department at Washington; but this condition only applies to the deliveries required for the year 1852, the agent requiring some immediate deliveries, "*in view of the necessity of such supplies,*" and Colonel Frémont engaging "*to commence the deliveries within one month after the date of the notification to him of the treaties.*" The treaties were made in May, 1851; the deliveries for which the drafts were given were made in June following; and the terms of the proposals and acceptance, as well as the nature of the case, show this part of the contract to be unconditional.

THOMAS H. BENTON,  
For COL. FRÉMONT.

Hon. Mr. STUART,  
*Secretary of the Interior.*

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MARIPOSA, SAN JOAQUIN VALLEY,  
May 19, 1851.

SIR: Having established a cattle rancho on the Mariposas river, neighboring to the Indian tribes of the Sierra Nevada, with whom you are engaged in treating, I submit to your consideration the following proposals:

I propose to furnish for the present and ensuing years (eighteen hundred and fifty-one and eighteen hundred and fifty-two) all the animals (beef cattle, brood cows, and brood mares,) which you shall need for the execution of your treaties with the Indian tribes, in the district under your direction, and which I understand to comprehend all that portion of the State lying between the parallel of the upper waters of the San Joaquin river and the southern boundary line; I engage and bind myself to make the deliveries in the course of the present and following years, at such time and place within the district as you shall indicate, and to commence the deliveries one month after

the date of notifications to me of treaties, as they shall successively be made.

I propose to furnish beef cattle upon the hoof at the price of fifteen cents per pound net; brood cows, between the ages of three and five years, at the price of seventy-five dollars each; and brood mares between the ages of four and six years, at the price of seventy-five dollars each.

Very respectfully,

JOHN C. FRÉMONT.

Col. G. W. BARBOUR,  
*Indian Commissioner, &c., &c.*

CAMP KEYES, CAHWIA RIVER, CALIFORNIA,

May 28, 1851.

SIR: I have received your letter of the 19th instant, in which you propose furnishing beef cattle, brood mares and cows, to the Indians in this (the southern) district of the State, according to the stipulations of such treaties as have been or may be made with the different tribes.

Having received no advices from the Indian Department at Washington since my colleagues and myself adopted the policy of supplying those Indians with whom we might treat with beef and stock &c. I could not, except to a very limited extent, enter into any unconditional contract for supplying those Indians treated with in this (the southern) district of the State; but in view of the necessity for such supplies, and not doubting but that the proper authorities will readily acquiesce in the policy that we have adopted, I should not hesitate to make such contracts as may be necessary to carry out *in good faith* the stipulations of such treaties as may be made with the Indians. Such contracts, of course, being left subject to the approval or rejection of the Indian Department at Washington.

I have had many proposals offered me to furnish such supplies, regarding your offer as the best and lowest of any yet made by a responsible man, and believing, as I do, that your offer is a fair one, I have concluded to close with your proposition, subject however to the approval or rejection of the same by the Indian Department at Washington.

Should this arrangement be satisfactory you can confer with C. A. Johnson, sub-agent for the San Joaquin valley, who is near you and who will advise you of the time and place, and number of beef cattle wanted for the Indians in this vicinity with whom treaties have been made. I will advise you as to what will be necessary after leaving this valley.

Respectfully,

G. W. BARBOUR,

*Commissioner, &c., &c., &c.*

Col. J. C. FRÉMONT.

WASHINGTON CITY, *January 23, 1852.*

This will certify that I, John Walkèr, of the city of Washington, born and raised in the city, and engaged all my life in the cattle and butchering business, and now carrying on the same in this city, and also having carried on the same business in San Francisco, in California, during part of the year 1850 and 1851, as partner with Mr. Steinberger, and therefore well acquainted with the prices of beef cattle in California during that time; and in the summer of 1851 knew, by report, of the contract made by Colonel Frémont to furnish beef cattle to the Indians at the San Joaquin, at the price of fifteen cents a pound, and I consider the price to be low, and such a one as I would not have taken the contract for. It was below the current ready money prices of the country, and less than I was getting cash down from individuals, companies and United States ships at the same time. We sold, at San Francisco, common beef to individuals at about eighteen to twenty-five cents per pound, and choice at twenty-five cents per pound; to Howland & Aspinwall's steamers at fifteen cents per pound, and usually to the amount of \$3,500 per steamer, and always paid down; the beef in all cases taken from us without the expense or loss of deliveries, which was a heavy item of expense to the contractors; to Howard & Son's steamers at the same price, and upon the same terms as to Howland & Aspinwall. I also furnished the city prison with beef for the prisoners, on a contract with the agent, at eighteen cents per pound. This beef consisted of *neck* pieces principally. None but *vaqueros* could drive the California cattle, and we have given three hundred dollars a month to some that we have employed. The loss and expense must have been great to Colonel Frémont on driving cattle to the frontiers on the San Joaquin, and I would not take his contract even if the fifteen cents was to be paid down at the time of delivery.

I make this general statement and am willing to answer any questions before a committee.

JNO. WALKER.

P. S. On looking over my books, now in this city, I see that we furnished the United States frigate "Savannah" with beef in the year 1850-'51; also the United States revenue bark Polk; also the United States brig Lawrence; also the United States brig Dolphin; also the United States revenue schooner Argus; also the United States steamer Massachusetts, at the rates mentioned, and all for ready money.

JNO. WALKER.

WASHINGTON CITY,  
*January 24, 1852.*

DEAR SIR: In answer to your enquiries as to the price of beef in California, I have to reply, that during the summer and fall of last year, the market price was *twenty-five cents per pound* in the valley of the

Sacramento. In the mining region the price varied according to the distance from the valley, ranging from thirty to fifty cents per pound.

Respectfully, your obedient servant,

JOS. W. McCORKLE.

Hon. THOMAS H. BENTON,  
*Washington City.*

This will certify that I, Henry B. Edwards, of Chester, Delaware county, Pennsylvania, went to California in May 1850, and returned from there in October 1851, and the principal part of that time was on the Mariposas doing business on my account, part of the time, and assisting Col. Frémont in his delivery of cattle under the contract with Mr. Barbour, the Indian commissioner. That I bought much beef for myself and also bought parcels for Col. Frémont, and never paid less than 25 cents a pound ready money for the beef all around and more if choice parts only were taken. That I was in charge of Col. Frémont's rancho when he went to the south to buy the cattle and hearing that the Indians were troublesome on his route, I and Lieut. Beale, of the navy, with six others, went down to meet him, and did meet him high up on the San Joaquin; and as Mr. Savage, who was in the employment of Mr. Barbour, was there, and urged Col. Frémont to hasten on cattle to satisfy the Indians on the Fresno and King's rivers on the San Joaquin above the big bend, I took charge of the drove being 2,000 head, and hastened them on and made the deliveries. They were delivered at different points as we came to the Indians, or rather as they came and met us. They were all bought in the old settlements in the south, and was consider the fairest drove of cattle ever brought up. At the delivery the commissioner himself was present also Mr. Johnson, an Indian agent, also two gentlemen of the army (medical men,) besides Col. Frémont, Lieut. Beale, Alexander Godey. They were averaged at 500 pounds apiece, the average being taken by an estimate on a view of the whole in *rodear*—that is to say, by forming them in a circle and making the whole walk round, which is the Spanish mode of counting and inspecting, and to which the cattle are trained, and will begin to form as soon as the *vaquero* calls out *rodear*. I assisted to deliver nineteen hundred to the agent or to the Indians with him, also 551 before that to Indians at the Tahon pass on the Coahilla, on King's river, on the Tulare, on the Fresno, on the San Joaquin. Before the arrival of the cattle at the place of delivery the Indians being impatient, Col. Frémont had between 70 and 80 head purchased from the American settlements, at the high rate of \$50 a head, which had to be driven about 60 or 70 miles in the wild country, and suffered a loss of about ten head, (five in one night.) The loss on driving the whole band from the south was about four hundred head, and the expenses enormous, some of the *vaqueros* having \$100 a day, and about ninety horses, being about one half of the drove destroyed, and nearly all the rest worn down and useless. This great loss and expense was owing to the urgent demand of the agent to get the cattle brought on to keep the Indians quiet, and the extreme

heat of the weather and scarcity of water, it being the middle of the dry season and the distance driven about five hundred miles; and all through a wild country.

H. B. EDWARDS.

WASHINGTON, *January 24, 1852.*

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This will certify that I, Lieutenant E. F. Beale, of the United States navy, was in California mostly since 1845, and especially in 1850 and 1851, and was part of that time engaged in business for Commodore Stockton and Mr. Aspinwall, at the Mariposas mines, and bought beef for their establishment, and usually paid from twenty to thirty cents a pound for it, and never less than twenty cents, and that for beef all round, and for ready money always. I also certify that I have read the statement in this case made by Mr. Henry Edwards, and am acquainted with almost every fact mentioned by him, and know it to be true. I also know that Mr. Barbour, the commissioner, was importunate with Colonel Frémont for a prompt delivery of cattle early in June, to keep the Indians friendly and peaceable, and that Colonel Frémont made the greatest exertions, and at great loss and expense, to comply punctually; and when he found he could not get the whole drove to the appointed place on the appointed day, had a lot of about seventy-five head bought from the nearest settlement, at a great price, fifty dollars a head, and delivered in advance, and so satisfied the Indians, who were becoming very restless and suspicious. I also believe that the Indians thus supplied by the contract with Colonel Frémont are the only ones now peaceably disposed towards the United States.

I also saw Colonel Barbour, the commissioner, and Colonel Frémont often together during the time of the existing of this contract, and know that he, the commissioner, constantly promised to have the treaties at Washington early, and that he would bring them on, and gave that as a reason why he would not wait to hold treaties with the Indians to the south, though Colonel Frémont urged him to do so, as the only means of keeping the southern Indians peaceable and quiet.

But he persisted in his determination and came off in the steamer of October 4, and has not yet arrived, to my knowledge. I also know that Colonel Frémont negotiated a part of the drafts he gave him to pay for the cattle he had bought, making the negotiation on the exorbitant terms usual in California, and in the full confidence that the treaties would be here by the meeting of Congress, and they are not yet here.

EDWARD F. BEALE.

*United States Navy.*

WASHINGTON CITY, *January 24, 1852.*

Ex. Doc. 109—3



WASHINGTON CITY, D. C., *May 2, 1854*

SIR: I take the liberty of calling your attention to, and throw you of presenting to the government, the claims of a number of young men (whose names are hereto appended) of the Delaware tribe Indians.

The statement of these young men is in substance as follows. In June, 1845, they hired to Col. Frémont to accompany him as hunters on a trip or tour across the continent to California. They were informed by their agent, Major Cummins, that if they would furnish their own horses, saddles, &c., and go with Col. Frémont, he (Major Cummins) would see that they should each have a dollar *per diem*. Major Cummins also informed them that Col. Frémont would be glad for whatever he promised them; accordingly they hired to Col. Frémont for twelve months, and accompanied him across the mountains to California. After they had been with him eleven months the war between the United States and Mexico broke out; after they had served out the twelve months, they called the attention of Col. Frémont to this fact, stating to him that the pay which he was giving them was not sufficient. Col. Frémont told them that he could do without them. He promised them that if they would continue in the service of the United States they should have higher wages and that it should date back to the time they commenced service under him; he told them they were good hunters, and hunter's pay was worth more than one dollar *per day*; he then promised two of these young men, James Sagondyne and James Swanack, seven dollars a month, and to their companions each sixty dollars a month. They state that they remained with Col. Frémont until he dispatched them back to the United States with papers, which they delivered. When they reached home they had been sixteen months and a half out, they received one dollar per day, but the balance is still due them. Col. Frémont also told them they should have bounty land, which they have not received. One of these young men, Ne-ta-me-o-min, or Crane, was killed; and another, Wa-ta-wha, died in the service; James Conner was wounded.

They state that, some time in the fall of 1846, they saw Col. Frémont, and asked him about the remaining pay; he informed them that he had placed the papers in relation to their claims in the hands of his father-in-law, Col. Benton, that he would see to the business and have them paid. One of these young men, James Sagondyne, skinned birds for Col. Frémont, for which he agreed to pay him ten dollars per month.

I am satisfied the foregoing statements are correct, and trust the claims of these young men may not be overlooked by the government.

Very respectfully, your obedient servant,

B. F. ROBINSON,  
*Indian Agent.*

Hon. G. W. MANYPENNY,  
*Commissioner of Indian Affairs.*

The following are the names of the young men, viz: James Sagondyne, James Swanack, James Conner, Charley, Wa-ta-wha, Crane, or Ne-ta-me-commin, Richard Brown, Job Skeckett, Solomon Everett.  
B. F. ROBINSON, *Agent*.

James Sagondyne being at the Indian office on the 29th May, 1856, Mr. Mix, acting commissioner of Indian affairs, directed me to read and have interpreted the foregoing statement of Agent Robinson, and said Sagondyne informed me that it was correct, with the exception that Col. Frémont promised him five and not ten dollars per month extra for skinning birds.

JAMES R. ROCHE, *Clerk*.

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DEPARTMENT OF THE INTERIOR,  
*Office Indian Affairs, May 6, 1854*

SIR: I herewith enclose a letter received at this office from Mr. B. F. Robinson, Indian agent of the Kansas agency. Mr. R. states that Col. Frémont, in his trip to California, in 1845, employed several Delaware Indians, as hunters; that after they reached California, he told them, on their application, that their wages should be increased, and that they should receive bounty land. The Indians allege, that the increased compensation has not been paid to them, and that Col. Frémont, in 1846, stated that the papers, &c., were in your hands, and that you would attend to the matter for them.

I take the liberty of asking you whether the papers alluded to are in your possession, or if not, whether you can inform me where they are, and if any disposition has been made of the reputed claims.

I should be pleased to hear from you on the subject, and to be the recipient of any information you have it in your power to communicate in relation to the claim, &c., &c.

In view of the fact that the delegation of the Delawares now here, and soon to leave, are pressing this office for information in the premises, I trust it will be in consonance with your convenience to oblige me with an early answer.

I am, respectfully, your obedient servant,

GEO. W. MANYPENNY,  
*Commissioner*.

Hon. THOMAS H. BENTON,  
*House of Representatives, Washington City.*

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C STREET, May 10, 1854.

SIR: In answer to your letter of the 6th instant, in relation to the Delaware Indians employed by Mr. Frémont in 1845, I have to say that I have heard him often speak in great commendation of those



Indians, both as hunters and as warriors in the conquest of California, and am very well assured that he considered them entitled to all the benefits of the acts for the reward and compensation of soldiers in the service of the United States. I should suppose that what he engaged to pay them, was duly paid; what he *promised* them after they became in the military service was the expression of a belief of what they would be entitled to under the laws of Congress, passed or to be passed. I have no papers on the subject, but would refer to Mr. Richard Burgess, in F street, the agent of Mr. Frémont in all this business, and through whose instrumentality many of Mr. Frémont's men, who served in the same battalion with these Indians, received the pay and land allowed to the military.

Mr. Frémont was among the Delawares last fall, and now has returned of that tribe with him, whom he greatly values; and we think that he may be expected back in a month or so.

If these Delawares now here, who were with him in 1845, have the evidences of their service, or if Mr. Burgess has such evidence, I should suppose that their claims to land and pay as soldiers would be allowed.

Respectfully, sir, your obedient servant,

THOMAS H. BENTON.

GEO. W. MANYPENNY, Esq.,  
*Commissioner of Indian Affairs.*

DEPARTMENT OF THE INTERIOR,

*Office Indian Affairs, May 21, 1856*

SIR: A delegation of Delaware Indians, while in this city in 1855, stated to me that you had employed certain members of their tribe in 1845 to accompany you to California; and in 1853 another party of Delawares, numbering ten, were employed for a like purpose, and that certain promises and agreements made by you were not fulfilled.

Your attention is called to this matter at the request of James S. Onondyne, now in this city with other delegates of the Delaware Indians.

Very respectfully, your obedient servant,

GEO. W. MANYPENNY,  
*Commissioner*

Col. J. C. FRÉMONT, *New York.*

WESTPORT, MISSOURI,  
*September 16, 1856*

I have this day made an arrangement through Jem Secondi, Delaware chief, by which ten Delaware hunters, good men, are to accompany me on my journey to California and back to this country. The ten Delawares are to furnish their own animals, and are each to

paid two dollars a day. They are to provide themselves with good animals, and if any of their animals should die upon the road I am to pay them for the loss. They will, of course, be furnished by me with ammunition, and the saddles, which are furnished to them by me, are at my own cost.

JOHN C. FRÉMONT.

DEPARTMENT OF THE INTERIOR,  
*Office Indian Affairs, June 16, 1856.*

SIR: I wrote you on the 21st ultimo, at the request of James Sagondyne, in reference to the employment by you of certain members of the Delaware tribe of Indians to accompany you to California in 1845 and 1853. Having received no response to that letter I fear it did not reach you, and I therefore enclose a copy of it.

There is on file in this office a certificate from you, dated 16th September, 1853, as to the employment of the party that accompanied you in that year.

The delegation pressed this subject upon me when here in 1854, as well as during their last visit the present year, and I trust you will see the importance of furnishing me with any information in your possession bearing upon it.

Very respectfully, your obedient servant,

GEO. W. MANYPENNY,  
*Commissioner.*

Col. J. C. FRÉMONT, *New York city.*

*Statement of James Sagondyne, a Delaware Indian, respecting the employment by Colonel J. C. Frémont of certain members of his tribe, &c., &c.*

He employed ten (10) Delawares to accompany him to California in 1853, and back to their (Indian) country. It was agreed that the Indians should furnish their own animals, and each were to receive two dollars per day; were to provide good animals, and if any were lost on the journey, Colonel Frémont was to pay for them.

That the animals, twenty-one in number, were all lost on the journey before reaching California, excepting *one mule and one horse*, which Colonel Frémont sold in California and kept the proceeds of the sale.

The twenty (20) horses were valued by the Indians, at Westport, at sixty-five dollars each, and the mule at eighty dollars.

Colonel Frémont paid the ten Delawares at the rate of two dollars per day each until they reached California, but paid nothing for the remainder of the period they were in his employ, forty-three days, and nothing was paid them for the animals (twenty-one) lost.

Does not know that the Indians talked with Colonel Frémont on

the subject before parting with him; but does know that they (the Indians) talked with late Agent Cummings (a friend of Colonel Frémont) in relation to it; and he (Cummings) told the Indians that Colonel Frémont would pay them when he was informed of the amount which he was bound for.

WASHINGTON, *May 29, 1856.*

TREASURY DEPARTMENT,  
*Third Auditor's Office, August 16, 1856.*

SIR: I had the honor to receive from you, for a report thereon, a resolution passed by the Senate of the United States on the 11th instant, requesting that the President of the United States furnish to the Senate—

1st. Copies of all letters and vouchers filed in the departments in support of claims presented by and allowed to John C. Frémont, an officer of the United States government, from the year 1842, showing what claims, if any, were allowed; and what were disallowed, and the reasons for their disallowance.

2d. Whether any moneys placed in the hands of said J. C. Frémont for disbursement on the public account remain unaccounted for at the treasury.

3d. Whether any drafts drawn or liabilities incurred by him in the public service remain unliquidated; and if so, in whose hands are such unliquidated drafts, and why have they not been paid.

4th. Were appropriations made for the payment of drafts drawn or liabilities incurred by him, as an officer of the government, which were not paid and cancelled, placed in his hands under the authority of law, or otherwise?

5th. Whether there are any letters or papers on file in either of the departments, from an official source, charging him with malfeasance in office? And if any, to furnish copies thereof, and state whether he was arraigned for such charges, or notified of their existence, and what reply did he make thereto; if not arraigned under the charges, why was it not done?

6th. With such other information as the President and heads of departments deem necessary to throw proper light upon the subject involved in the resolution.

With the additional requirement endorsed thereon by you to furnish any other information in this office which may serve to exhibit truly the nature of Colonel Frémont's pecuniary transactions with the government.

There is nothing in this office from which any information can be derived in answer to the 5th branch of the resolution, and with respect to the 1st, 2d, 3d, 4th, and 6th, I have the honor to submit the following:

1st. That deeming the ordinary allowances of Colonel Frémont for quarters, fuel, transportation, per diem for court martial, and topographical duty, forage in kind, stationery, and office rent, which in

common with other officers of the army he received under the same general regulations, as coming within the meaning of the word "claim" as used in the resolution, I have taken no notice of these, except in a single instance, where long after accrued he preferred a "claim" for a per diem allowance in lieu of quarters and transportation, beginning with the 9th of July, 1838, and ending on the 22d of August, 1847, amounting to \$2,288. Upon this claim, on investigation, there was allowed only \$730 50, and the balance, \$1,557 50, was disallowed, as will fully appear by a copy of the account, with the reasons for the allowance and disallowance by the accounting officers, herewith marked 1, No. 1.

In the nature of claims upon the adjustment of which Colonel Frémont was paid money from the treasury, I submit copies of his accounts current for disbursements and advances in 1846 and 1847, in which he claimed a balance to be due him of \$13,947 62; a copy of the adjustment of said account in September, 1848, in which a balance was found due him of \$12,825 72; a copy of an explanatory statement, showing the reasons for the non-allowance of the difference between the amount claimed and allowed; and an endorsement, showing the payment to Colonel Frémont and his attorney of \$11,108 20 of the sum allowed; all of which is marked 1, No. 2.

Also, a copy of another account current of his for advances and expenditures in 1846 and 1847 on account of subsistence, in which he claimed of the United States a balance of \$4,432 23; a copy of the adjustment of said account, also in September, 1848, in which a balance of \$4,947 87 was found to be due him; a copy of an explanatory statement, showing how a greater sum was allowed than was claimed in his account; and a copy of Colonel Frémont's receipt for the amount, dated September 7, 1848; all of which is herewith, marked 1, No. 3. And, further, a copy of an adjustment of the accounts of Colonel Frémont in April, 1850, in which he was credited with sundry vouchers theretofore suspended, and for disbursements made in 1845, in which there was found due him the sum of \$1,633 74; and a copy of the receipt of his attorney for the amount, dated April 5, 1850, which is herewith, marked 1, No. 4.

## RECAPITULATION.

Allowed on claim for per diem	-	-	-	-	-	\$730 50
Allowed and paid on 1st adjustment of accounts	-	-	-	-	-	11,108 20
Allowed and paid on 2d adjustment of accounts	-	-	-	-	-	4,947 87
Allowed and paid on 3d adjustment of accounts	-	-	-	-	-	1,633 74
Total	-	-	-	-	-	<u>18,420 31</u>

NOTE.—In a note attached to the account current rendered by Col. Frémont, wherein he claimed a balance of \$19,661 75, a copy of which is marked 1, No. 2, it is stated:

"In addition to the sums above credited, I drew two drafts on the State Department in 1847—one in favor of F. Huttman, at Ciudad los Angeles, for \$19,000, (less the amount of thirty per cent. premium paid,) and the other for \$1,000, (less a premium of twenty-five per cent.,) in favor of William Wolfskoll, which drafts, having been pr--

tested, and not recognized by the government, I do not consider them chargeable to my account.

“J. C. FRÉMONT.”

If the sums received for these drafts were disbursed on account of his command, the presumption is that the disbursements were to that extent represented in the vouchers rendered with his accounts for that period. This presumption is, indeed, confirmed by the note of Colonel Frémont above, and explains why there was a balance found against the government and in his favor in the settlement of his accounts as above.

2d. In answer to this branch of the resolution, I submit a copy of Colonel Frémont's account as it now stands upon the books of this office, which shows that, since the 30th of January, 1855, he has been a debtor to the United States in the sum of \$1,986 51. This paper is marked 2, No. 1, and contains a note explanatory of the principal items of debit and credit.

3d. The records of this office do not show any draft drawn by Colonel Frémont, or liability incurred by him, which is recognized as binding upon the United States, yet remaining unliquidated, beyond what is contained in the answer to the second branch of this inquiry.

4th. I have some difficulty in apprehending the meaning of this branch of the inquiry, but assume that it refers to four drafts drawn by Colonel Frémont in California on the Hon. James Buchanan, Secretary of State, which were not accepted, and protested in consequence. These drafts were all dated “Ciudad de los Angeles, Upper California, March 18, 1847,” at ten days sight, favor of F. Huttman or order, and are for \$6,000, \$5,000, \$4,500, and \$4,000, respectively, amounting in all from the face of them, to \$19,500. Upon said drafts an action appeared to have been instituted in London against Colonel Frémont, and judgment recovered for the whole amount, with interest, at 25 per cent up to date of judgment, and 4 per cent. afterwards, with taxed costs amounting to \$29,314 33 more, and altogether to \$48,814 33. For the relief of Colonel Frémont from the judgment thus recovered against him, Congress passed an act which was approved March 1853, (see Pamphlet Laws, private acts, pages 35 and 36,) under which the same was liquidated and satisfied by the Secretary of the Treasury, as he was required to do by the act, per receipt of plaintiff's attorney dated September 21, 1853.

Of the amount thus paid, 15,000 dollars of the 19,500 dollars, the amount of the drafts, was charged to Col. Frémont upon the books of this office, until he could show that the money had been applied to the public service, it being stated that the former sum only was realized, 4,500 dollars being the premium allowed by Col. Frémont, in negotiating the drafts in California—and the amount so charged to him was retained in August, 1854, from the sum of 183,825 dollars with ten per cent. interest, allowed by the act of Congress for his relief, approved July 29, 1854, for beef delivered for the use of the Indians in California in 1851-'52, and paid through the office of the First Auditor.

I should have remarked that on the 30th of January, 1856, under

the same act of Congress, Col. Frémont was allowed and carried to his credit his own attorney's bill of costs, amounting to \$2,150 49, in addition to the foregoing.—(See paper marked 2, No. 1.)

In accordance with the requisition contained in your reference of the resolution to this office, I have the honor further to state, that a number of claims originated under Lieut. Col. Frémont while commanding his battalion of volunteers in California, in 1846-'47, and which have been paid through this office. These claims were not presented by Col. Frémont, except a single one. They appear to be for liabilities incurred on behalf of the government, by him or under his authority, on account and for the use of his battalion; and the evidence relied upon to substantiate them, was, in most instances, his certificate, that they were correct and just and had been applied to the public service. But there is nothing to show that they were prosecuted by him, or that he was interested to any further extent than before mentioned. But as your endorsement requires that I shall furnish any other information which may serve to exhibit truly the nature of Col. Frémont's pecuniary transactions with the government, and as it is difficult to discriminate between claims so originated and paid, and such as are specified in the resolution, I have concluded to give a brief abstract of them, showing their nature, amount, &c., together with copies of the principal claims allowed, to whom paid, and the evidence on which payment was made.

A number of these claims were filed in the Treasury Department but action refused, for the reason that there was no authority of law for their payment until, by the 6th section of the army appropriation act, approved August 31, 1852, it was enacted, "That for the pay and equipment as mounted riflemen, finding their own horses and forage, of the volunteers serving under the command of Captain John C. Frémont, in California during the year 1846, as appears by the muster rolls on file in the War Department, and for the subsistence and supplies consumed by said volunteers in said service, one hundred and sixty-eight thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated; and the Secretary of War is authorized and empowered to appoint three competent and disinterested officers of the army to examine and report to Congress upon all such claims as may be presented for funds advanced, and subsistence and supplies of all kinds furnished or taken for the use of said command, whilst thus engaged in the public service."

In accordance with the above, on the 7th of September, 1852, Hon. C. M. Conrad, then Secretary of War, appointed Brevet Colonel Charles F. Smith, Lieutenant Colonel Charles Thomas, and Major Richard B. Lee, a board "to examine and report to Congress upon all such claims as may be presented for funds advanced, and subsistence or supplies furnished or taken for the use of the volunteers serving under the command of Captain John C. Frémont in California, in the year 1846."

After the organization of the board, the claims which had been filed in this office were transmitted to the officers composing it at their request.

Subsequently, Congress having made an appropriation for the pay-



ment of such of the claims as were recommended for allowance by the board, they were transmitted to the Secretary of War, and by his decision were directed to this office for final settlement and payment by the accounting officers of the treasury, and have been paid so far as the claimants, or persons duly authorized to receive the money, have presented themselves.

A tabular statement showing the names of the claimants whose claims were allowed in whole or in part, the amount claimed, amount allowed, together with an abstract as far as practicable of the subject-matter of the claims, showing by whose certificate it was supported, is appended hereto, marked A. Also following the tabular statement will be found copies of the principal claims in full, the evidence in support thereof, and the award of the board, marked 1, 2, 3, 4, 5, and so on.

By the second section of the act making appropriations for the support of the army for the year ending June 30, 1856, approved March 3, 1855, the board was abolished; and by the order of the Secretary of War, dated April 3, 1855, the unfinished business before the board at the time of its dissolution was directed to be turned over to Lieutenant Colonel Charles Thomas.

This office has no official knowledge of the action of the board upon the remaining claims, their extent, or character, except such as is derived from the last report of the board to Congress, dated April 18, 1855, and published in Senate Executive Document No. 63, 1st session 34th Congress.

From that report it appears that 363 claims were filed, amounting in the aggregate to \$989,185 29, of which \$149,236 were recommended for payment, as before mentioned; \$9,129 40 were also recommended for allowance; \$157,317 65 were disallowed; \$307,927 34 were suspended; \$186,509 15 were ruled out; \$3,695 36 were paid or to be paid at the treasury, for which the action of the board was not requisite; \$147,800 were withdrawn, and \$28,570 37 were registered, but no opinion given thereon.

A schedule of the claims suspended, disallowed or withdrawn, showing the names of the claimants, nature of claim and amount claimed, has been compiled from that report, and is appended hereto, marked B.

Not having access to the papers connected with these outstanding claims, I have no means of knowing as to their character, the evidence by which they are supported, or the reasons of their suspension or disallowance, further than is contained in the schedule before referred to.

From these abstracts and schedules, it will be seen that a large portion of the claims preferred before the board were for horses, mares, mules, cattle, bullocks, &c. In those which were allowed there were embraced, 1,915 horses, 489 mares, 72 mules, 307 bullocks, 2,226 cows, 603 sheep, &c. What number were embraced in those not allowed could only be ascertained by reference to the papers in the hands of Col. Thomas, but it appears from the report that a large portion of them are for "horses, cattle, arms, &c."

As before quoted, the act organizing the board made it their duty to "examine and report to Congress upon all such claims as may be presented for funds advanced, and subsistence and supplies furnished."



or taken for the use of the battalion of mounted volunteers serving under Col. J. C. Frémont in California in 1846, whilst thus engaged in the public service." As being intimately connected with this I have caused to be prepared an abstract of purchases made, on account of subsistence and supplies for the use of said battalion, during the same period, the vouchers for which have been passed to the credit of the officers making the purchases, viz.: Lieutenant Col. J. C. Frémont, Major A. H. Gillespie, Quartermaster Jacob R. Snyder, and Commissary Henry King, on settlement of their respective accounts at the treasury, which is appended hereto, marked C.

In these abstracts it appears that purchases were made on account of said battalion of horses, mules, and cattle, and allowed at the treasury, on vouchers produced on settlement of their accounts as follows: to Lieutenant Col. J. C. Frémont for 211 horses, 74 mules, and 91 cattle; to Captain H. King for 39 horses, 6 mules, and 215 cattle; to Brevet Major A. H. Gillespie for 66 horses, 11 mules, and 17 cattle; and to Quartermaster J. R. Snyder for 61 horses, and 1 head of cattle, making a total of 377 horses, 91 mules, and 324 head of cattle. All of which is respectfully submitted.

Very respectfully, your obedient servant.

ROBERT J. ATKINSON, *Third Auditor.*

Hon. JAMES GUTHRIE, *Secretary of the Treasury.*

---

1 No. 1.

Dr. *The United States to Lieutenant Colonel J. C. Frémont.*

1. For per diem allowance in lieu of quarters and transportation from 9th July, 1838, to 21st December, 1838, inclusive, 166 days, at \$1 per day	-	-	\$166 00
2. For per diem allowance in lieu of quarters and transportation from 4th April, 1839, to 31st December, inclusive, 272 days, at \$1 per day	-	-	272 00
3. For per diem allowance in lieu of quarters and transportation from 27th June, 1841, to 22d July, 1841, inclusive, 26 days, at \$1 per day	-	-	26 00
4. For per diem allowance in lieu of quarters and transportation from 22d May, 1842, to 17th October, 1842, inclusive, 149 days, at \$1 per day	-	-	149 00
5. For per diem allowance in lieu of quarters and transportation from 17th May, 1843, to 31st July, 1844, 442 days, at \$1 per day	-	-	442 00
6. For per diem allowance in lieu of quarters and transportation from 23d May, 1845, to 22d August, 1847, inclusive, 822 days, at \$1 50 per day, as per order herewith	-	-	1,233 00
			<hr/> 2,288 00 <hr/>

Received at Washington City, from J. C. Frémont, this first January, 1848, the sum of two thousand two hundred and eighty-eight dollars, in full of above bill.

J. C. FRÉMONT.

I certify the work executed, the service rendered, and the obligation or expense incurred, as charged in the above account, that I was engaged upon field duty during the time specified, in military and geographical surveys west of the Mississippi, and that the same were necessary therefor.

J. C. FRÉMONT.

Upon this claim of Colonel Frémont the accounting officer decides as follows:

Voucher 240.—Account of J. C. Frémont.—“For per diem allowance in lieu of quarters and transportation” during the respective periods specified in the 6 several items therein charged and receipted for, to which is appended his certificate, “that he was engaged upon field duty during the time specified, in military and geographical surveys west of the Mississippi,” amounting, altogether, to \$2,288.

The claim set forth in the first item is considered to be precluded from admission by the payment to Colonel Frémont of the compensation expressly stipulated and provided for by the terms and conditions communicated to him by the chief of the Topographical Bureau when employed as an assistant civil engineer to J. N. Nicollet, under the law of 30th April, 1824, and which were accepted and agreed to.

(See the accompanying extract of a letter from Colonel Albert to Colonel Frémont, dated 16th April, 1838; also voucher 12 to abstract of disbursements for 2d, 3d and 4th quarters of 1838, filed with settlement of his accounts, No. 10,954, made 9th March, 1841.)

It will be seen by reference to the Army Register that Colonel Frémont was appointed a second lieutenant of the corps of topographical engineers during his subsisting engagement and service, in the capacity of a civil engineer, to wit, on the 7th July, 1838; and in virtue of that appointment he now claims the per diem allowance of \$1, made by the regulation of June 11, 1828, “to officers employed in the field upon topographical duty, to be paid by the Quartermaster’s Department, in lieu of quarters and transportation, subject to a deduction of 20 cents per day in all cases where tents are furnished by the public to officers employed as above,” \$166.

The second and third items are inadmissible, appearing to have been heretofore severally paid to Colonel Frémont through the Quartermaster’s Department, as seen by reference to settlement of Captain A. R. Hetzel’s accounts, made April 10, 1843; see No. 16,350, second quarter, 1840, voucher 54, B., and third quarter of 1841, voucher 10, B. The two items amounting to \$298.

The fourth and fifth items are disallowed, having been heretofore paid. Amount of the items \$591.

In regard to the charge in the sixth item, of \$1,233, it is observed that Colonel Frémont appears entitled, under the accompanying instructions of the chief of the Topographical Bureau of February

On a subsequent settlement of his accounts, he was allowed, in addition, the per diem of \$1 50 from May 27, 1846, to September 30, 1846, inclusive, amounting to \$190 50, less \$13 50, previously paid him by Captain M. M. Clark, assistant quartermaster, \$177. Total disallowed on sixth item \$502 50.

Item 1.	Not allowed	-	-	-	-	\$166
Item 2.	Heretofore paid.	Disallowed	-	-	-	272
Item 3.	Do	do	-	-	-	26
Item 4.	Do	do	-	-	-	149
Item 5.	Do	do	-	-	-	442
Item 6.	Disallowed	-	-	-	\$502 50	
	Admitted	-	-	-	730 50	
					<u>1,233</u>	
					<u>2,288</u>	
Total amount disallowed	-	-	-	-	1,557 50	
Total amount allowed	-	-	-	-	730 50	
					<u>2,288</u>	

## 1 No. 2.

DR.

*The United States in account with Lieut. J. C. Frémont, rifle regiment.*

CR.

To abstract of advances to officers of the—		By amount received from William Speiden, purser of the frigate Congress—	
Pay department*.....	\$21,632 55	On 16th August, 1846 .....	\$1,000 00
Subsistence department*.....	4,369 23	On 25th August, 1846 .....	500 00
Quartermaster's department.....	9,498 94	On 27th August, 1846 .....	1,000 00
Ordnance department*.....	749 25	On 24th February, 1847 .....	6,500 00
To abstract of expenditures on account of—		By amount received from Capt. A. H. Gillispie, in Aug., 1846.	
Quartermasters' department.....	2,411 50	By amount received from same in vouchers, for which I gave him a receipt .....	9,000 00
Ordnance department*.....	1,529 00		10,004 00
Clothing* .....	359 50		
Subsistence*.....	63 00		4,195 40
By Captain Gillispie, and paid by me, per abstract.....	2,037 18		23,199 40
Advanced Captain Gillespie, per receipt*.....	200 00		19,661 75
		By balance due me.....	
Total.....	42,861 15	Total.....	42,861 55
To balance, per contra.....	19,661 75		

\* None of these items included in the settlement of the accounts below.

I certify the above account to be correct.

J. C. FRÉMONT.

NOTE.—In addition to the sums above credited I drew two drafts on the State Department, in 1847, one in favor of J. Huttman, at Ciudad de los Angeles, for \$19,000, (less the amount of 30 per cent. premium paid,) and the other for \$1,000, (less a premium of 25 per cent.,) in favor of William Wolfskoll, which drafts having been protested and not recognized by the government, I do not consider them chargeable in my accounts.

J. C. FRÉMONT.

## 1 No. 2—Continued.

*The United States in account with Lieut. Col. J. C. Frémont, rifle regiment.*

DR.

To amount of advances to officers of the quartermaster's department, per abstract.....	\$9,498 94
To amount of expenditures, per abstract.....	2,411 50
To amount of expenditures by Captain Gillespie and paid by me, per abstract.....	2,037 18
Total.....	13,947 62
To balance due me.....	13,947 62

CR.

By balance due me.....	\$13,947 62
Total.....	13,947 62

I certify the above account to be correct.

J. C. FRÉMONT.

*Statement of difference arising on the settlement of the accounts of Lieutenant Colonel John C. Frémont, late United States army, for disbursements made by him, on account of Quartermaster's Department, in California and New Mexico, in 1846 and 1847.*

Balance claimed by Lieutenant Colonel Frémont	-	\$13,947 62
Balance due him per official statement	-	12,825 72
Difference	-	1,121 90

Which arises as follows:

Voucher 16, abstract No. 1, not received	-	\$50 00
Part voucher 1, abstract No. 2, on account of ordnance \$97 25, and clothing \$159, extracts made therefrom and referred to Second Auditor	-	256 25
Voucher 18, (\$100,) abstract No. 1, and voucher 2, (\$655 64,) and 4, (\$60,) abstract No. 2, appertaining to subsistence, referred to Mr. Price who has charge of Colonel Frémont's subsistence accounts	-	815 64
Add fraction	-	1
Difference explained	-	1,121 90

1 No. 3.

DR. *Lieutenant Colonel John C. Frémont, late of United States army, in account with the United States.*

CR.

	Mexican hostilities.		Mexican hostilities.
To balance due Colonel Frémont .....	\$12,825 72	By general account, monies advanced— For disbursements made by him in California and New Mexico in the years 1846 and 1847, per abstract No. 1 and voucher herewith .....	\$2,261 50 1,065 29
		By J. R. Snyder, major and quartermaster Cali- fornia battalion .....	3,326 79
		Per receipt April 23, 1847 .....	6,154 36
		By Henry King, captain and commissary of sub- sistence and acting quartermaster California bat- talion, per receipt August 1, 1846 .....	2,534 57
		By William H. Russell, ordnance officer of Cali- fornia battalion, per receipt July 4, 1847 .....	810 00
	12,825 72	Due him .....	12,825 72

TREASURY DEPARTMENT, Third Auditor's Office, September 2, 1848.

Stated by: L. JONES, Clerk.

TREASURY DEPARTMENT, Second Comptroller's Office, September 6, 1848.

M. CLARK.

DR. *The United States in account with Lieutenant Colonel J. C. Frémont.*

CR.

To amount advanced to officers of the Subsistence Department in California in the years 1846 and 1847, per abstract and vouchers .....	\$4,369 23	By balance due me. ....	\$4,432 23
To amount expended on account of subsistence in 1846, per abstract .....	63 00		
To balance .....	4,432 23		4,432 23

*Statement of difference arising on settlement of the account of Lieutenant Colonel J. C. Frémont, as acting assistant commissary of subsistence in California in third and fourth quarters 1846, and first and second quarters 1847.*

Balance due Lieutenant Colonel Frémont per official statement	-	-	-	-	-	\$4,947 87
Balance due him per his statement	-	-	-	-	-	4,432 23
Making a difference in his favor of	-	-	-	-	-	<u>515 64</u>

The difference arises as follows :

He is credited on official statement with amount of the following vouchers referred to subsistence by Quartermaster's Department, viz :

Amount paid T. H. Green, July, 1846	-	-	-	-	\$655 64
Deduct amount allowed in Engineer Department	-	-	-	-	200 00
					<u>\$455 64</u>
Amount paid same, same date	-	-	-	-	60 00
Amount paid T. Talbot, February 5, 1847	-	-	-	-	100 00
					<u>615 64</u>
From which deduct amount received from Major S. Swords, as per receipt July 15, 1847, not entered on his account	-	-	-	-	100 00
Difference explained	-	-	-	-	<u>515 64</u>

THIRD AUDITOR'S OFFICE, *September*, 1848.



## 1 No. 3.

## MEXICAN HOSTILITIES.

DR.

*Lieut. Col. J. C. Frémont, mounted rifles, in account with the United States.*

CR.

1848.  
Jan. 17To Major Thomas Swords, as per receipt July 15,  
1847 .....  
To balance due Lieut. Col. Frémont .....\$100 00  
4,947 87By Captain Henry King, California battalion,  
advanced him, per receipt—

August 1, 1846.....	\$1,547 73
October 19, 1846.....	36 00
December 15, 1846.....	215 00
January 17, 1847.....	64 00
January 23, 1847.....	160 00
February 2, 1847.....	112 00
February 9, 1847.....	8 00
February 11, 1847.....	148 00
February 12, 1847.....	120 00
February 23, 1847.....	465 00
March 3, 1847.....	500 00
March 10, 1847.....	43 50

\$3,419 23

By Captain Samuel J. Hensley, California bat-  
talion, advanced him, per receipt—

March 29, 1847 .....	500 00
April 2, 1847 .....	250 00
April 17, 1847 .....	200 00

950 00

By general account of monies advanced for dis-  
bursements made in purchase of subsistence  
stores in California in July, 1846, as per  
voucher herewith .....

63 00

By the following vouchers received from quar-  
termaster's department, viz :

JOHN C. FREMONT.

Total.....

5,047 87

T. H. Green, July 25, 1846 .....	455 64
do.....do.....do.....	60 00
T. Talbot, February 5, 1847 .....	100 00

615 64

Total.....

5,047 87

By balance due Lieut. Col. Frémont.....

4,947 87

TREASURY DEPARTMENT, *Third Auditor's Office, September 1, 1848.*

Stated by

W. F. PRICE.

SECOND COMPTROLLER'S OFFICE, *September 5, 1848.*

Examined :

T. PURRINGTON.

Received, 7th September, 1848, of the Third Auditor of the Treasury, requisition No. 4279, dated 6th instant, for four thousand nine hundred and forty-seven dollars and eighty-seven cents, in full of the above account.  
\$4,947 87.

J. C. FRÉMONT.

JOHN C. FRÉMONT.

CR. *John C. Frémont, late lieut. colonel regiment mounted riflemen, U. S. army, in account with the United States.* DR.

Date.		Military and geographical surveys west of the Mississippi.	Mexican hostilities.	Date.		Military and geographical surveys west of the Mississippi.	Mexican hostilities.
1849. June 6	To balance due the United States, per settlement No. 7634 .....	\$5,164 16 .....		1849. June 6	By balance due Col. Frémont, per settlement No. 7634 .....		\$726 32
					By general account of money advanced .....		
					For sundry items of expenditure specified and recommended for allowance in the report of the Chief of the Bureau of Topographical Engineers to the Secretary of War, February 7, 1850, suspended or disallowed on former settlements of Col. F.'s accounts for the reasons heretofore stated, now admitted and passed to his credit on the vouchers, accompanied by the explanations, remarks, &c., herewith filed, amounting to .....	\$5,261 58 .....	
					For sundry disbursements made by him August 23, 1845, when in command of the exploring expedition to Oregon and California, in prosecuting military and geographical surveys west of the Mississippi, per accounts rendered March 22, 1850, with two vouchers, approved by the Chief of the Bureau of Topographical Engineers, herewith filed, amounting to .....	810 00 .....	
	To balance due Colonel Frémont.	907 42	726 32			6,071 58	726 32
		6,071 58	726 32		By balance due Colonel Frémont, per contra .....	907 42	726 32

Dr. *Lieutenant Colonel John C. Frémont, late United States army, in account with the United States.*

Cr.

1854. Oct. 27	To J. Temple: For amount per receipt January 25, 1847.....	\$1,500 00		By William H. Russell, late major California bat- talion, for advance per receipt July 4, 1847, erroneously charged to Colonel Frémont on set- tlement of said Russell's account, No. 10886, April 1851, on decision of the Secretary of War; now brought to the credit of the former and debit of the latter to correct the error, since ascertained, on decision of the Secretary of War, of the 14th instant, per report, decision, &c., herewith.....	\$810 00
31	To A. J. Cot: For cash advanced him for the use of the Califor- nia battalion under the command of said Fré- mont, February 4, 1847, per account herewith ..	3,000 00			
1855. Feb. 15	To J. R. Snyder, major: For this sum charged to Major Snyder on settle- ment of Colonel Frémont's account, No. 6373, September, 1848, upon a requisition of \$749, drawn of Colonel Frémont by Major Snyder, the sum of \$652 was only paid to Major Snyder, and Colonel Frémont received credit for the whole amount in the above settlement; (see Colonel Frémont's acknowledgement of this fact per letter herewith) .....	97 00	1856. Jan. 30	By this sum, being amount due him per certificate of the First Comptroller of the Treasury, No. 121,338, dated January 25, 1856, and letter of the Secretary of the Treasury, dated January 28, 1856, carried to his credit on account of pay- ment of claims adjudicated by the board of officers, &c.....	2,150 49
Mar. 28	To T. H. Green: For cash advanced Colonel Frémont by him for use of California battalion, November 16, 1846, allowed Green on award of board of officers, and ordered to be charged to Colonel Frémont ..	350 00		Balance due the United States.....	1,986 51
		4,947 00			
	Balance due the United States .....	1,986 51			4,947 00

NOTE.—The debit items, \$1,500, \$3,000, and \$350 were advanced to Colonel Frémont in cash, for the use of the battalion of volunteers in California, by John Temple, on January 25, 1847, and by Antonio Jose Cot, on February 4, 1847, and T. H. Green, on November 16, 1846.

These sums were recommended for allowance by the army board, and were afterwards paid to the parties making the advances from the Treasury of the United States, and charged to Colonel Frémont until he should satisfactorily show when and how he applied the same properly to the public service. This he has not yet done.

The credit item of \$2,150 49 is the amount of his attorney's bill of costs for defending an action brought against Colonel Frémont in London upon certain drafts drawn by him in California, whilst in command of the battalion, upon the Secretary of State and protested. The amount was allowed by the Secretary of the Treasury, under the act of March 3, 1853, (see pamphlet laws United States, private acts, pages 35 and 36,) and brought to Colonel Frémont's credit as above.

JOHN C. FRÉMONT.

(Claim of M. G. Vallejo, No. 7.)

*The United States to Mariano G. Vallejo.*

For the following property taken from the stores of Mariano G. Vallejo, for the use of the troops under the command of Captain John C. Fremont, in the month of August, A. D. one thousand eight hundred and forty-six:

To nine rifles, at fifty dollars each	-	-	-	\$450 00
To one pair of pistols,	-	-	-	50 00
Total	-	-	-	<u>500 00</u>

M. G. VALLEJO.

SONOMA, August 30, 1846.

I certify on honor that the foregoing account is substantially correct and just; that the property enumerated was taken from General Vallejo for the use of the United States troops under my command, serving in California during the year eighteen hundred and forty-six; that this property was lost and expended in said service, and no portion of it returned to General Vallejo, and that he has received no compensation whatever for the same.

I do further certify that the prices charged are reasonable, not exceeding the value of the property at the time it was furnished for the use of the United States troops under my command in California.

JOHN C. FREMONT.

*Board for the examination of claims contracted in California under Lieutenant Colonel John C. Fremont.*

Opinion on the claim of Mariano G. Vallejo, No. 7. Ordnance, \$500.

On the additional testimony produced, the board is of opinion the claim is just, and accordingly recommends it to the favorable consideration of Congress.

Vote unanimous.—(See journal, page 210.)

C. F. SMITH,  
Colonel United States Army,  
President of the Board

DECEMBER 6, 1853.

(Claim of M. G. Vallejo, No. 8.)

*The United States to Mariano G. Vallejo.*

For the following property taken from the ranchos of General Mariano G. Vallejo for the use of the United States troops under the

command of Captain John C. Frémont, in the month of August, A. D. one thousand eight hundred and forty-six:

To 800 head of cows and large cattle, at \$15 each	-	\$12,000 00
To 600 head of second class cattle, at \$12 each	-	7,200 00
To 600 head of third class cattle, at \$8 each	-	4,800 00
To 100* head of sheep, at \$5 each	-	750 00
Total -	-	<u>24,750 00</u>

M. G. VALLEJO.

SONOMA, August 30, 1846.

I certify on honor that the foregoing account is substantially correct and just; that the property enumerated and charged was taken from General Vallejo for the use of the United States troops under my command, serving in California during the year eighteen hundred and forty-six; that this property was consumed and expended in said service and no portion of it returned to General Vallejo; and that he has received no compensation whatever for the same.

I do further certify that the prices charged are reasonable, not exceeding the value of the property at the time it was furnished for the use of the United States troops under my command in California.

JOHN C. FRÉMONT.

The explanatory remarks of this date, appended to claim No. 9, I consider as applicable to this case.

JOHN C. FRÉMONT.

JULY 11, 1853.

*Board for the examination of claims contracted in California under Lieutenant Colonel John C. Frémont.*

Opinion on the claim of Mariano G. Vallejo. Cattle, \$24,750. No. 8.

On the additional testimony produced, the board is of opinion that a part of this claim, amounting to fifteen thousand five hundred and seventy-five dollars (\$15,575) is just, and accordingly recommends so much of it in amount to the favorable consideration of Congress; the balance, nine thousand one hundred and seventy-five dollars, (\$9,175,) being disallowed.

This amount is arrived at by deducting one hundred and fifty (150) head of second class cattle which were returned to General Vallejo by Captain and Assistant Quartermaster J. L. Folsom, (see his letter to the board of March 31, 1853,) and adding fifty (50) to the number of the sheep (see the so-called claim numbered 10;) the animals to be paid for at the following rates:

\* Should be 150 as in old account and assignment.

800 head of cows and large cattle, at \$10	-	-	\$8,000
450 head of cows and second class cattle, at \$8	-	-	3,600
600 head of cows and third class cattle, at \$6	-	-	3,600
150 sheep, at \$2 50	-	-	375
			<u>15,575</u>

Vote unanimous.—(See journal, page 220.)

C. F. SMITH,  
Colonel United States army,  
President of the Board.

JANUARY 3, 1854.

(Claim of M. G. Vallejo, No. 9.)

*The United States to Mariano G. Vallejo.*

For the following property taken from the ranchos and stores of Mariano G. Vallejo, for the use of the United States troops under the command of Captain John C. Frémont in the month of August, A. D. one thousand eight hundred and forty-six :

To five hundred head of first quality horses, at one hundred dollars each	-	-	-	\$50,000
To three hundred and nine head of horses, at seventy-five dollars each—second quality	-	-	-	23,175
To two hundred and fifty head of wild mares, at twenty-five dollars each	-	-	-	6,250
To forty saddles, complete, at fifty dollars each	-	-	-	2,000
To forty pairs of spurs, at five dollars each	-	-	-	200
To two hundred blankets, at five dollars each	-	-	-	1,000
Total	-	-	-	<u>82,625</u>

M. G. VALLEJO.

SONOMA, August 30, 1846.

I certify, on honor, that the foregoing account is substantially correct and just; that the animals and other property enumerated were taken from General Mariano G. Vallejo for the use of the United States troops under my command serving in California during the year eighteen hundred and forty-six; that this property was lost and expended in said service, and no portion of it returned to General Vallejo, and that he has received no compensation whatever for the same.

I do further certify that the prices charged are reasonable, not exceeding the value of the property at the time it was furnished for use of the United States troops under my command in California.

JOHN C. FRÉMONT.

In explanation of this amount, it is proper to state that I consider the stock owned by General Vallejo to be of superior quality;



that I was directed by this knowledge in admitting the higher prices set out herein. It is further proper to state that in Sonoma, and generally throughout California, the stock found upon farms was driven off as much in the view of preventing it from falling into the hands of the enemy as for the use of the troops, to which latter purpose only a comparatively small portion was appropriated. Great numbers of the stock so driven off by us were scattered over the country, and were consequently lost and perished. And it is in this extended sense that the words "consumed and expended" in the service of the United States were intended to be understood.

JOHN C. FRÉMONT.

JULY 11, 1853.

*Board for the examination of Claims contracted in California under Lieutenant Colonel John C. Frémont.*

Opinion on the claim of Mariano G. Vallejo. Horses, cattle, &c., \$82,625. No. 9.

On the additional testimony produced, the board is of opinion that a part of this claim, amounting to thirty-two thousand six hundred and twenty-five dollars, (\$32,625,) is just, and accordingly recommends so much of it in amount to the favorable consideration of Congress; the balance, fifty thousand dollars, (\$50,000,) being disallowed. This amount is arrived at by allowing the undermentioned rates, the price affixed for the first quality of horses appearing to be the highest that was paid by the quartermaster, or any other official, for horses for the service of the California battalion, viz:

500 horses, 1st quality, at \$40	-	-	-	\$20,000 00
309 horses, second quality, at \$25	-	-	-	7,725 00
250 horses, (wild mares,) at \$10	-	-	-	2,500 00
40 saddles, complete, at \$30	-	-	-	1,200 00
40 pairs of spurs, at \$5	-	-	-	200 00
200 blankets, at \$5	-	-	-	1,000 00
				<hr/>
				32,625 00
				<hr/>

Vote unanimous.—(See journal, page 226.)

C. F. SMITH,

Col. U. S. Army, President of the Board.

JANUARY 17, 1854.

(Claim No. 16.)

*The United States to Salvador Vallejo.*

DR.

For the following property taken from the ranchos and stores of Salvador Vallejo by the troops under the command of Captain J. C.

Frémont in the months of June, July, and August, A. D. one thousand eight hundred and forty-six:

To two hundred head of first quality horses, at one hundred and thirty dollars each -	-	-	-	-	\$26,00
To two hundred and forty head of second quality horses, at one hundred dollars each -	-	-	-	-	24,00
To fifteen saddles, at one hundred dollars each -	-	-	-	-	1,50
To four rifles, at one hundred dollars each -	-	-	-	-	400
To one rifle, at two hundred dollars -	-	-	-	-	200
To two pair of pistols, at one hundred dollars each -	-	-	-	-	200
To ten mares, at eighty dollars each -	-	-	-	-	800
Total -	-	-	-	-	53,10

The remarks of this date appended to claim No. 11 are applicable to the present case, except that it is proper further to say that the arms specified herein were of a superior quality.

JOHN C. FRÉMONT.

JULY 11, 1853.

Sworn to by claimant, and endorsed. Approved.

J. C. FRÉMONT.

*Board for the examination of claims contracted in California under Lieutenant Colonel John C. Frémont.*

Opinion on the claim of Salvador Vallejo. Horses, arms, &c. \$53,100. No. 16.

On the additional testimony produced the board is of opinion that a part of this claim, amounting to eleven thousand seven hundred dollars is just, and accordingly recommend so much of it in amount to the favorable consideration of Congress; the balance, forty-one thousand four hundred dollars, being disallowed.

This amount is arrived at by allowing the undermentioned rates, viz.					
200 horses, first quality, at \$30	-	-	-	-	\$6,000
240 horses, second quality, at \$20	-	-	-	-	4,800
15 saddles, at \$30	-	-	-	-	450
4 rifles, at \$50	-	-	-	-	200
1 rifle	-	-	-	-	50
2 pair pistols, at \$50	-	-	-	-	100
10 mares, at \$10	-	-	-	-	100
					11,700

Vote unanimous.—(See journal, page 230.)

C. F. SMITH,

Colonel United States army, President of the board.  
JANUARY 19, 1854.

*The United States to Carlos Antonio Carrillo.*

DR.

For supplies furnished United States troops under command of Colonel John C. Frémont:

To 38 mules, at \$100	-	-	-	-	-	\$3,800 00
To 20 mares, at \$50	-	-	-	-	-	1,000 00
To 75 horses, at \$100	-	-	-	-	-	7,500 00
To 35 cows, (milch,) at \$30	-	-	-	-	-	1,050 00
To 100 fanegas corn, at \$3	-	-	-	-	-	300 00
To 60 fanegas beans, at \$4	-	-	-	-	-	240 00
To 4 saddles, at \$30	-	-	-	-	-	120 00
						<hr/>
						14,010 00
						<hr/>

JANUARY 5, 1856.

I certify that the above account is correct and that the supplies enumerated in the bill were furnished to the troops under my command, and applied accordingly to the use of the United States forces.

JOHN C. FRÉMONT.

*Board for the examination of claims contracted in California under Lieutenant Colonel John C. Frémont.*

Opinion on the claim of Carlos Antonio Carrillo. Horses, &c., \$14,010. No. 246.

The board deems a part of this claim, amounting to four thousand and thirty-five dollars (\$4,035) just, and accordingly recommends so much of it in amount to the favorable consideration of Congress, the balance, nine thousand nine hundred and seventy-five dollars (\$9,975) being disallowed. This amount is arrived at by the allowing the undermentioned rates, viz:

38 mules, at \$25	-	-	-	-	-	\$950 00
20 mares, at \$10	-	-	-	-	-	200 00
75 horses, at \$25	-	-	-	-	-	1,875 00
35 cows, at \$10	-	-	-	-	-	350 00
100 fanegas corn, at \$3	-	-	-	-	-	300 00
60 fanegas beans, at \$4	-	-	-	-	-	240 00
4 saddles, at \$30	-	-	-	-	-	120 00
						<hr/>
						4,035 00
						<hr/>

Vote unanimous.—(See journal, page 305.)

C. F. SMITH,  
Colonel United States Army,  
President of the Board.

FEBRUARY 9, 1854,

(Claim No. 11.)

*The United States to Julio Carrillo.*

For the following property taken from the ranchos and stores of Julio Carrillo by the troops under the command of Captain J. C. Frémont, in the months of June, July and August, Anno Domini one thousand eight hundred and forty-six:

To forty head of second quality horses, at one hundred dollars each	-	-	-	-	\$4,000
To eighty head of third quality horses, at eighty dollars each	-	-	-	-	6,400
To eighty mares, at eighty dollars each	-	-	-	-	6,400
To four saddles, at one hundred dollars each	-	-	-	-	400
To three rifles, at one hundred dollars each	-	-	-	-	300
Total	-	-	-	-	<u>17,500</u>

In this case, as generally in the course of our operations throughout the country, horses were driven off from the farms for the double purpose of supplying the troops and preventing them from falling into the hands of the enemy. Part were accordingly expended in such service, but the greater number were scattered over the country and lost or perished. In most cases the property was taken by alternate officers, under my orders. The approval by myself, endorsed upon the account, is to be considered as admitting the correctness of the claims as to amount and nature of property, but not as admitting the price charged.

JOHN C. FRÉMONT.

Sworn to by claimant and endorsed.

Approved.

J. C. FRÉMONT.

JULY 11, 1853.

*Board for the examination of claims contracted in California and  
Lieutenant Colonel John C. Frémont.*

Opinion on the claim of Julio Carrillo. Horses, &c., \$17,500 No. 11.

On the additional testimony produced the board is of opinion that a part of this claim, amounting to two thousand six hundred and seventy dollars, (\$2,670,) is just, and accordingly recommends so much of it in amount to the favorable consideration of Congress; the balance, fourteen thousand eight hundred and thirty dollars, (\$14,830,) being disallowed. This amount is arrived at by allowing the mentioned rates, viz:

Forty horses, second quality, at \$20	-	-	-	\$800 00
Eighty horses, third quality, at \$10	-	-	-	800 00
Eighty mares, at \$10	-	-	-	800 00
Four saddles, at \$30	-	-	-	120 00
Three rifles, at \$50	-	-	-	150 00
				<hr/>
				2,670 00
				<hr/>

Vote unanimous.—(See journal, page 226.)

C. F. SMITH,

*Colonel United States army, President of the Board.*

JANUARY 17, 1854.

*The United States to Marriana Soberanoes.*

DR.

For the following property taken from the rancho and stores of Marriana Soberanoes by the troops under the command of Captain John C. Frémont, in the year one thousand eight hundred and forty-six:

To fifteen head of horses, valued at \$80 each	-	-	\$1,200 00
To three (3) California saddles, bridles and spurs, valued at \$100 each	-	-	300 00
To one hundred (100) head of beef cattle, valued at \$25 each	-	-	2,500 00
To two hundred (200) chickens, valued at \$1 each	-	-	200 00
To two rifles, (2) valued at \$100 each	-	-	200 00
To two (2) pair of pistols, valued at \$50 each	-	-	100 00
To fifty (50) fanegas of wheat, valued at \$5 per fanega	-	-	250 00
To two hundred (200) fanegas of corn, valued at \$5 per fanega	-	-	1,000 00
To three (3) fanegas of Barley, at \$4 per fanega	-	-	12 00
To one hundred (100) fanegas of beans, valued at \$6 per fanega	-	-	600 00
To fifty-five (55) dry hides, at \$2	-	-	110 00
To one hundred and eighty (180) arobas of tallow, valued at \$3 per aroba	-	-	540 00
To eleven (11) ox yokes, at \$10 each	-	-	110 00
To one (1) chest of carpenter's tools, at	-	-	100 00
To one (1) lot of farming utensils, at	-	-	100 00
To one (1) dozen knives and forks, at	-	-	6 00
To two (2) pitchers, (cut glass,) valued at \$6	-	-	12 00
To six (6) cut glass decanters, at \$4 each	-	-	24 00
To one (1) dozen tumblers, valued at	-	-	4 00
To the entire furniture of my house, valued at \$2,500	-	-	2,500 00
To one large copper cauldron, weighing one hundred pounds, valued at 62½ cents per pound	-	-	62 50

To the lumber and material of one house, the cost of which, and the transportation of thirty leagues, was	\$7,500
To crops destroyed, and fruit trees cut down for wood, valued at	2,500
	<hr/> 19,930

Sworn to by

M. SOBERANOE.

Certified by

J. R. SNYDER,  
*Ex-Lieutenant of the California battalion.*

I hereby certify that I was assistant commissary of subsistence in the California battalion, commanded by Lieutenant Colonel John C. Frémont, in the years of 1846 and 1847; that I have examined the account of Marriana Soberanoes, amounting to the sum of nineteen thousand nine hundred and thirty dollars and fifty cents, for property taken from the said Soberanoes for the use of, and by the said troops; that I know that a party of men were ordered by Colonel Frémont to proceed to the rancho of said Soberanoes to destroy the buildings, and take such property as they might want, which they reported having done; and although I am not able to certify particularly as to all the items in said account, yet I do certify that it is substantially correct and true.

W. F. SWASEY,

*Late assistant commissary of subsistence, California battalion.*

*Board for the examination of claims contracted in California, under  
Lieutenant Colonel John C. Frémont.*

Opinion on the claim of Marriana Soberanoes, \$19,930 50. No. 322

A part of the claim, amounting to four hundred and twenty-three dollars, (\$423,) the board deems just, and accordingly recommends much of it in amount to the favorable consideration of Congress. This amount is arrived at by allowing the undermentioned rates:

Fifteen horses, at twenty-five dollars each	-	-	\$375
One saddle, at thirty dollars	-	-	30
Three bridles, at six dollars each	-	-	18

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423

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FEBRUARY 6, 1854.

With regard to the balance of the claim, amounting to nineteen thousand five hundred and seven dollars and fifty cents, (\$19,507 50,) the board, even admitting the account to be just, in regard to which

point there is no testimony save the affidavit of the claimant, and that the property was destroyed by order of Lieutenant Colonel Frémont, entertains strong doubts whether it properly comes within its province for examination, being for *property destroyed*, and not for "supplies furnished or taken," and does, therefore, rule it out. By so doing the board does not mean to express any opinion as to the justice or otherwise of the balance of the claim.

Vote Yea—Colonel Smith and Lieutenant Colonel Thomas.

Nay—Major Lee.

Major Lee votes for the allowance of \$423, but in the negative for the remainder of the opinion.—(See Journal, page 297.)

C. F. SMITH,

*Colonel U. S. Army, President of the Board.*

(Claim No. 5.)

*United States War Department, United States Military Post, Fort Sacramento, to John A. Sutter.* DR.

For facilitating the interests of the United States of America, as stated in this bill:

On account of military operations in California, 1846 and 1847.

For rent of Fort Sacramento and four dwelling-houses, use of United States volunteers and families, from July 12, 1846, to April 12, 1847—nine months, at \$800 per month - - - - - \$7,200 00

Seven thousand two hundred dollars.

Received payment,

E. E.

J. A. SUTTER.

I certify that the premises mentioned in the above bill were occupied as therein stated.

EDW. M. KERN,

*1st Lieut. Colonel battalion, and Commandant Sacramento West.*

Approved.

J. C. FRÉMONT.

I certify that the amount specified in the within bill was agreed to be paid to Mr. Sutter, as the rent for his fort. The price was fixed after much discussion, and at the time considered reasonable and just. The buildings comprehended by the establishment were extensive, and afforded to the military operations under my direction extraordinary facilities and conveniences. The occupation of the fort also necessarily caused derangement of business and loss to Sutter.

JULY 11, 1853.

JOHN C. FRÉMONT.



*Opinion.*

On the additional testimony produced, the board deems the claim just, and accordingly recommends it to the favorable consideration of Congress.

Vote unanimous.—(See journal, page 210.)

C. F. SMITH,  
Colonel U. S. Army, President of the Board.

DECEMBER 6, 1853.

[Translation.]

ANGELES, February 4, 1847.

I, the undersigned, governor of California for the United States North America, do acknowledge having received from Don Antonio José Cot, merchant of this city, two thousand dollars in hard cash which he has furnished this government for the wants of the service and in the name of the government of the United States I bind myself to return said sum within the term of two months from this date, with the interest of three per cent. per month, or one hundred and twenty dollars. But if at the expiration of this period I should see fit still to make use of said two thousand dollars, said Mr. Cot agrees that the interest shall run for four months longer, at two per cent. per month or one hundred and sixty dollars for the four months. And to the fulfilment of these stipulations I bind myself as governor of California

J. C. FRÉMONT,  
Governor of California

For \$2,000.

ANGELES, February 20, 1847.

I have likewise received from said Mr. Cot the sum of one thousand dollars, on the terms expressed above.

J. C. FRÉMONT,  
Governor of California

ANGELES, April 12, 1847.

I have received from Señor Frémont the sum of one hundred and eighty dollars for two months interest on the three thousand dollars expressed in this obligation.

ANTONIO JOSÉ COT.

Board for the examination of claims contracted in California  
Lieutenant Colonel John C. Frémont.

Opinion on the claim of Antonio José Cot. Cash \$3,240. No. 133.  
The board deems the claim just, including the interest as stated for four months, and accordingly recommends it to the favorable consideration of Congress.

consideration of Congress: *Provided*, That on the payment of the claim, the amount thereof, deducting the interest, be charged against Lieut. Colonel Frémont.

Vote unanimous.—(See journal, page 255.)

C. F. SMITH,  
*Col. U. S. Army, President of the Board.*

January 26, 1854.

ANGELES, CAPITAL OF CALIFORNIA,  
*January 25, 1847.*

Received of Mr. John Temple the sum of fifteen hundred dollars, in cash, for the use of the United States, for which sum I promise (in the name of the United States as governor of California) to pay two per cent. per month until paid, said per centage being customary in this Territory.

J. C. FRÉMONT,  
*Governor of California.*

ANGELES, UPPER CALIFORNIA,  
*January 25, 1847.*

We, the undersigned merchants, residing in California, certify that the customary price paid for the use of money in this Territory is two per cent. per month, and frequently more.

TALBOT H. GREEN,  
W. D. M. HOWARD,  
ABEL STEARNS.

JULY 11, 1853.

This money was obtained for the service of the California battalion, and expended accordingly.

\$1,500.

J. C. FRÉMONT.

ADJUTANT GENERAL'S OFFICE,  
*October 8, 1852.*

I certify that I have compared the above signature with original signatures in this office, and, to the best of my belief, pronounce it to be genuine.

S. COOPER,  
*Adjutant General.*

*Board for the examination of Claims contracted in California under  
Lieutenant Colonel John C. Frémont.*

Opinion on the claim of John Temple. Cash \$1,500. No. 1.

On the additional testimony produced, the board deems the claim reasonable and just, including the interest, as stated, to the date at which Lieutenant Colonel Frémont settled his accounts at the treasury, say the first of October, 1848, and accordingly recommends it to the favorable consideration of Congress: *Provided*, That on the payment of the claim the amount thereof, deducting the interest, be charged to Colonel Frémont.

Vote unanimous.—(See page 208 journal.)

C. F. SMITH,

*Col. U. S. Army, President of the Board.*

DECEMBER 3, 1853.

Boston, August 5, 1848

DEAR SIR: Enclosed please find a note, payable to your order, signed by J. C. Frémont, as governor of California, dated Angeles, capital of California, January 25, 1847, for \$1,500, say fifteen hundred dollars, and interest from date till paid, at the rate of two per cent per month, and also a certificate, signed by three merchants of California to the effect that this is the customary rate of interest on the cash. We have just come into possession of this note, it having been forwarded from California as a remittance from a vessel which we have upon that coast, and without delay we send it to you for approval and payment.

If found correct, please send us a treasury warrant on our subscription for the principal and interest.

We are, sir, your most obedient servants,

CURTISS & PEABODY

Hon. WM. L. MARCY,

*Secretary of War, Washington.*

WAR DEPARTMENT  
Washington, August 8, 1848

GENTLEMEN: I have the honor to acknowledge the receipt of your letter of the 5th instant, enclosing and asking payment of a note drawn by J. C. Frémont as governor of California, acknowledging to have received of Mr. John Temple the sum of fifteen hundred dollars in cash, for the use of the United States, and promising in the name of the United States to repay the same with interest at the rate of two per cent per month, dated at Angeles, California, the 25th of January, 1847. As yet no provision has been made by Congress for the settlement of claims of the above character; a bill is now before the House of Representatives for the purpose, and will probably become a law.

the course of the session, in the meantime the note enclosed by you is herewith returned.

Very respectfully, your obedient servant,

W. L. MARCY,  
*Secretary of War.*

CURTISS & PEABODY,  
*Boston, Massachusetts.*

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BOSTON, *November 20, 1848.*

SIR: We had the honor of addressing you on the 5th of August last, enclosing a draft drawn by J. C. Frémont, esq., as governor of California, dated Angeles, California, January 25, 1848, for \$1,500, and bearing interest at the rate of two per cent. per month, and again on the 4th of September, acknowledging receipt of your esteemed favor of August 8, returning said draft, and informing us that no appropriation had been made by Congress for payment of drafts of this character, but that a bill was before Congress for this purpose.

In above letter of 4th of September, we made the request that you would be kind enough to give us your opinion as to the probability of Congress legalizing claims of this nature, to which we have not had the pleasure of your reply.

If at your leisure you would be kind enough to give us this opinion you would very much oblige us.

Very respectfully, your obedient servants,

CURTISS & PEABODY.

Hon. WM. L. MARCY,  
*Secretary of War.*

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WAR DEPARTMENT,  
*Washington, December 7, 1848.*

GENTLEMEN: I have the honor to acknowledge the receipt of your letters of 4th September and 30th ultimo, respecting the draft which you hold of J. C. Frémont, for money borrowed by him in California. Mr. Frémont memorialized Congress on the subject of the liabilities he had incurred in California, but the bill in regard to them, which was introduced as stated in my letter to you of 8th of August, did not become a law.

I am unable to say what further action may be expected, if any, at the present session; as no officer of this department is authorized to borrow money on the faith of the United States, the department cannot recognize any such contract. Mr. Frémont, individually, it is presumed, has received credit at the treasury for all disbursements he thus made in the public service, whether from money received by him from the treasury or raised on his own credit.

Very respectfully, your obedient servant,

W. L. MARCY,  
*Secretary of War.*

Messrs. CURTISS & PEABODY,  
*Boston, Massachusetts.*

*The United States to Jose de la Rosa.*

For the following property taken from the stores of Jose de la Rosa in Sonoma, by the troops under the command of Captain J. C. Fremont, in the months of June, July, and August, A. D. one thousand eight hundred and forty-six:

To twenty-one mares, at eighty dollars each	-	-	\$1,680
To twenty-eight tame cows, at thirty dollars each	-	-	840
To eleven horses, at one hundred dollars each	-	-	1,100
To nine horses, at eighty dollars each	-	-	720
To four mules, at one hundred dollars each	-	-	400
To three rifles, at one hundred dollars each	-	-	300
Total	-	-	5,040

The remarks of this date appended to claim No. 11 may be considered applicable to this case.

JOHN C. FRÉMONT.

JULY 11, 1853.

STATE OF CALIFORNIA, }  
County of Sonoma. } ss.

This first day of April, A. D. 1851, personally appeared before me a notary public in and for said county, Jose de la Rosa, who being duly sworn deposeth and saith as follows:

That the foregoing bill of five thousand and forty dollars is a just and true account of the property taken from his stores by the troops under the command of Captain J. C. Frémont; that he has never received pay in whole or in part thereof; and that he is not indebted in any manner to the United States government.

JOSE DE LA ROSA

Sworn to and subscribed at the city of Sonoma, this first day of April, 1851, before me. In witness whereof, I do hereby  
[L. s.] my hand and seal.

ROBERT R. PIERPONT,  
Notary Public, Sonoma county.

The within account approved.

J. C. FRÉMONT.

*Opinion.*

On the additional testimony produced, the board is of opinion a part of this claim, amounting to one thousand two hundred and forty dollars, (\$1,240,) is just, and accordingly recommends so of it in amount to the favorable consideration of Congress. The amount is arrived at by allowing the undermentioned rates:

Twenty-one mares, at ten dollars each	-	-	-	\$210 00
Twenty-eight tame cows, at ten dollars each	-	-	-	280 00
Eleven horses, at twenty-five dollars each	-	-	-	275 00
Nine horses, at twenty-five dollars each	-	-	-	225 00
Four mules, at twenty-five dollars each	-	-	-	100 00
Three rifles, at fifty dollars each	-	-	-	150 00

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1,240 00

Vote unanimous.—(See journal, page 228.)

JANUARY 17, 1854.

*Board for the examination of claims contracted in California under  
Lieutenant Colonel John C. Frémont.*

Opinion on the claim of Jose de la Rosa. Horses, cattle, arms,  
\$5,040. (No. 14.)

On the additional testimony produced the board is of the opinion  
that a part of this claim, amounting to one thousand two hundred  
and forty dollars, (\$1,240,) is just, and accordingly recommends so  
much of it in amount to the favorable consideration of Congress; the  
balance, three thousand eight hundred dollars, (\$3,800,) being dis-  
allowed. This amount is arrived at by allowing the undermentioned  
rates, viz:

Twenty-one mares, at \$10	-	-	-	-	\$210 00
Twenty-eight tame cows, at \$10	-	-	-	-	280 00
Eleven horses, at \$25	-	-	-	-	275 00
Nine horses, at \$25	-	-	-	-	225 00
Four mules, at \$25	-	-	-	-	100 00
Three rifles, at \$50	-	-	-	-	150 00

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1,240 00

Vote unanimous.—(See journal, page 228.)

C. F. SMITH,  
*Colonel United States army, President of the Board.*

JANUARY 17, 1854.

*The United States to Victor Prudon.*

DR.

For the following property taken from the ranchos and stores of  
Victor Prudon by the troops under the command of Captain J. C.  
Frémont, in the months of June, July and August, Anno Domini  
one thousand eight hundred and forty-six;

To 30 head of second quality horses, at \$100 each	-	\$3,000	(a)
To 28 head of mares, at \$80 each	-	2,240	(a)
To 100 bowie-knives, at \$10 each	-	1,000	(a)
To 32 head of cows, at \$25 each	-	800	(a)
To 3 pairs of pistols, at \$100 per pair	-	300	(a)
To 1 revolver pistol, at \$50	-	50	(a)
Total,	-	7,390	(a)

The certificate appended by me to claim No. 11 may be considered applicable to this, except as regards the arms specified herein, which were of superior quality, and in regard to which the price may be considered just.

JOHN C. FRÉMONT.

Sworn to by claimant.

JULY 11, 1853.

*Endorsed.*—The within account approved.

J. C. FRÉMONT.

*Board for the examination of claims contracted in California under Lieutenant Colonel J. C. Frémont.*

Opinion on the claim of Victor Prudon. Horses, cattle, arms, &c. \$7,390. (No. 12.)

On the additional testimony produced the board is of opinion that a part of this claim, amounting to one thousand eight hundred and thirty-six dollars, (\$1,836,) is just, and accordingly recommends so much of it in amount to the favorable consideration of Congress; the balance, five thousand five hundred and fifty-four dollars, (\$5,554,) being disallowed. This amount is arrived at by allowing the under-mentioned rates, viz:

Thirty horses, second quality, at \$20	-	\$600	(a)
Twenty-eight mares, at \$10	-	280	(a)
One hundred bowie-knives, at \$5	-	500	(a)
Thirty-two cows, at \$8	-	256	(a)
Three pairs pistols, at \$50	-	150	(a)
One pistol (revolver) at \$50	-	50	(a)
		1,836	(a)

Vote unanimous.—(See journal, page 227.)

C. F. SMITH,

Colonel United States army, President of the Board.

JANUARY 17, 1854.



*The United States to William D. Phelps.*

DR.

For services of himself, crew and boats of the bark Moscow, of Boston, of which he was part owner and in command, and being agent for all other owners, and for the risk and hazard incident to such service in transporting Captain J. C. Frémont and a detachment of men under his command to a fort on the opposite side of the bay and entrance to the fort of San Francisco, in Upper California, in July 1846, and aiding him in capturing and dismantling the said fort and spiking the guns thereof, consisting of three brass and seven iron cannon of heavy calibre, and a part of which were afterwards taken on board the United States ship Portsmouth, by order of Captain J. B. Montgomery, United States navy, \$10,000.

E. E.

WILLIAM D. PHELPS.

Sworn to by the claimant.

I certify that Captain William. D. Phelps did transport a party of men under my command to the fort, near the Presidio, at the entrance of the bay of San Francisco, under the circumstances narrated in the above deposition: that he aided in dismantling the fort, and that I have always considered his services on that occasion to have been very valuable to the United States.

J. C. FRÉMONT.

WASHINGTON CITY, *August 5, 1853.*

I certify that in July, 1846, Captain W. D. Phelps did transport a party of men under the command of Captain J. C. Frémont from Sausalito across the bay of San Francisco (seven miles) to the fort at Yerba Buena, commanding the entrance to the harbor, for the purpose of spiking the guns of the fort, which was in a very dismantled condition and could not have been occupied without having been almost entirely rebuilt.

There was no enemy present, and the sole object Captain Frémont had in view was to prevent the Californians from using the guns at any future time. There was no risk or personal danger incurred, and the service would be well paid for at fifty dollars.

ARCHIBALD W. GILLESPIE,

*Brevet Major, United States Marine Corps.*WASHINGTON, *September 19, 1853.*

*Board for the examination of claims contracted in California under  
Lieutenant Colonel John C. Frémont.*

Opinion on the claim of William D. Phelps :

Services of boats, crew, and use of boat, \$10,000, (No. 230,) The board deems a part of this claim, amounting to fifty dollars, (\$50,) just, and accordingly recommends so much of it in amount to the favorable consideration of Congress; the balance, nine thousand nine hundred and fifty dollars, (\$9,950,) being disallowed.

Vote unanimous.—(See journal, page 302.)

C. F. SMITH,

*Colonel United States Army, President of the Board.*

FEBRUARY 8, 1854.

*Schedule of claims contracted for subsistence, supplies, funds advanced on account and for the use of the battalion of volunteers commanded by Lieutenant Colonel John C. Frémont, in California, in 1846-'47, and which have been paid, or are payable, in whole or in part, at the treasury, upon the award of a board of army officers, organized under act of Congress of August 31, 1852, and a subsequent appropriation made by Congress in conformity therewith, showing the amount claimed, the amount allowed and paid, or payable, by whom certified, together with an abstract of the property, supplies, or services upon which said claims were predicated.*

Date.	Of whom received.	By whom certified.	Amount claimed.	Amount allowed.	Horses.	Mares.	Mules.	Bullocks.	Cows.	Sheep.	Corn, fanegas of.	Beans, fanegas of.	Wheat, fanegas of.	Wheat, bushels of.	Rifles.	Muskets.	Pistols, pairs of.	Outlasses or swords.	Bowie knives.	Bridles.	Saddles.	Spurs, pairs of.	Blankets.	Tents.	Tent covers.	Fry pans.	Tin pans.	Cash.
1846.																												
June, July, Aug.	Salvador Vallejo .....	Lient. Col. J. C. Fremont .....	\$58,100 00	\$11,700 00	440	10																						
November 16....	Thomas Kell .....	do .....	51 00	51 00											5													
December 25....	William Breck .....	Jacob R. Snyder .....	50 00	30 00	1										1													
December 20....	Wm. F. Swazey .....	do .....	40 00	40 00																								
December 4....	Huber Pettit .....	Wm. L. Marcy .....	35 00	35 00	1																1	1						
September 15....	Abel Stearns .....	A. H. Gillespie .....	25 00	25 00	2																1	1						
September 24....	Manuel Requena .....	do .....	35 00	35 00																								
July 14 .....	Grimes & Sinclair .....	J. C. Fremont .....	350 00	350 00	13																							
August 29 .....	John Foster .....	A. H. Gillespie .....	60 00	60 00	2																							
October 23 .....	Patterson & Foster .....	E. M. Kern .....	50 00	50 00			2																					
December 15....	James McClearey .....	J. R. Snyder .....	15 00	15 00																	1	1						
August 4 .....	John Sinclair .....	J. C. Fremont .....	75 00	75 00	3																							
December 30....	Juan Maria Maron .....	do .....	575 00	575 00	23																							
August 20 .....	Raphel Gonsales .....	do .....	45 00	45 00	3																							
November 10....	John Sears .....	do .....	20 00	20 00																								
November 3 .....	Vincente Gomez .....	do .....	525 00	525 00	21																1	1						
November 2 .....	Capt. Geo. W. Vincent .....	do .....	12 00	12 00																	1	1						
December 22 to 29	N. A. Den .....	do .....	682 00	382 00																								
December 18 .....	Wm. Dana .....	do .....	66 00	66 00				11	94	3																		
December 20....	B. W. Foxen .....	do .....	120 00	120 00					12																			
November 20....	Modesto Castro .....	do .....	870 00	870 00	60	30																						
November 12....	S. Finley .....	do .....	15 00	15 00											1													
November 12....	D. Fallon .....	do .....	15 00	15 00																								

A—Continued.

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Date.	Of whom Received.	By whom certified.	Amount claimed.	Amount Allowed.	Horses.	Mares.	Mules.	Bullocks.	Cows.	Sheep.	Corn, fanegas of.	Beans, fanegas of.	Wheat, fanegas of.	Wheat, bushels of.	Rifles.	Muskets.	Pistols, pairs of.	Cutlasses or swords.	Bowie knives.	Bridles.	Saddles.	Spurs, pairs of.	Blankets.	Tents.	Tent covers.	Fry pans.	Tin pans.	Cash.
1846.																												
December 19....	Capt. Wm. Dana.....	J. C. Fremont.....	\$12 00	\$12 00	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...
November 18....	Wm. O'Conner.....	do.....	8 00	8 00	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
November.....	Don Miguel Castro.....	do.....	174 00	174 00	5	5	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
August 30.....	Mariano G. Vallejo.....	do.....	107,875 00	48,700 00	809	250	...	...	2000	100	...	...	...	...	9	...	1	...	...	...	1	40	40	200	...	...	...	
June, July, Aug.	Victor Prudon.....	do.....	7,890 00	1,836 00	30	28	...	...	82	...	...	...	...	...	3	...	4	...	...	100	...	...	...	...	...	...	...	
June, July, Aug.	Jose de la Rosa.....	do.....	5,040 00	1,240 00	20	21	4	...	28	...	...	...	...	...	3	...	...	...	...	...	...	...	...	...	...	...	...	
June, July, Aug.	Julio Carrillo.....	do.....	17,500 00	2,670 00	120	80	...	...	...	...	...	...	...	...	3	...	...	...	...	...	...	...	...	...	...	...	...	
December 16....	Horace Saunders.....	J. R. Snyder.....	20 00	20 00	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
November.....	Joachim & Juan Higera.	J. C. Fremont.....	80 00	80 00	4	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
July.....	Wm. D. Phelps.....	do.....	10,000 00	150 00	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
September 11....	Lewis Vigne.....	A. H. Gillespie.....	320 58	*232 58	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
September 14....	Henry Mellus.....	do.....	153 00	*153 00	...	...	...	...	...	...	...	...	...	...	...	...	5	6	...	...	...	...	...	...	...	...	...	
November 27....	James Watson.....	J. C. Fremont.....	119 12	*119 12	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
November 16....	Talbot H. Green.....	do.....	350 00	850 00	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
December 30....	Mariano Soberanoes.....	J. R. Snyder.....	19,930 50	*428 00	15	...	100	...	...	...	200	100	50	...	2	2	...	...	...	...	3	...	...	...	...	...	...	
December 28....	John Wilson.....	Henry King.....	36 00	*36 00	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
December 28....	Mariana Wilson.....	Russell & Snyder.....	86 00	*36 00	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	
October 10....	W. D. M. Howard.....	A. H. Gillespie.....	75 00	*75 00	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
December 11....	Alfred Baldwin.....	J. C. Fremont.....	25 00	25 00	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
November.....	Francisco Benyetta.....	do.....	25 00	25 00	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
November 6....	Charles White.....	do.....	4 00	*4 00	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
November 26....	James Stokes.....	do.....	28 50	*28 50	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
December 30....	Wm. Howard.....	do.....	192 97½	*102 97½	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
December 18....	Mellus & Howard.....	A. H. Gillespie.....	398 58	*186 58	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
November.....	Frank Lightstone.....	J. C. Fremont.....	209 50	*209 50	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
November 27....	Charles Weber.....	do.....	10 00	*10 00	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
November 23....	No name.....	do.....	8 00	*8 00	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
November 23....	Antonio Garman.....	do.....	350 00	*850 00	11	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
November.....	James Stokes.....	do.....	154 00	*154 00	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Sept. and Oct.	Thomas M. Robbins.....	do.....	148 46	*148 46	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
	James Stokes.....	do.....	317 28	*317 28	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
			417 28	*417 28	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
			118	118	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	

JOHN C. FREMONT.



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JOHN C. FREMONT.

[illegible]





## B.

*Schedule of claims for subsistence, supplies, funds advanced, &c., on account and for the use of the battalion of volunteers commanded by Lieutenant Colonel John C. Frémont, in California, in 1846-'47, which were laid before the board of army officers organized under act of Congress of August 31, 1852, and were suspended, disallowed, or withdrawn; showing the names of the claimants, the nature of the claims, amount claimed, and the amounts suspended, disallowed, or withdrawn, respectively, and therefore remaining unpaid; compiled from the official report of the board to Congress, dated April 18, 1855.*

Original claimant.	Nature of claim.	Amount claimed.	Amount disallowed.	Amount suspended.	Amount ruled out.	Amount withdrawn.	Amount registered, but no opinion given.
William A. Seidsdorff.....	Cash.....	\$8,740 00		\$8,740 00			
William D. Phelps.....	Purchase of an island.....	5,000 00			a\$5,000 00		
Mariano G. Vallejo.....	Arms, cattle, horses, &c.....	143,800 00				b\$143,800 00	
Cayetano Janez.....	Horses, cattle, arms.....	10,520 00		10,200 00			
B. T. Reed.....	Cash.....	800 00		800 00			
John C. Fremont.....	do.....	4,500 00				c4,500 00	
Miles Goodyear.....	Deerskins.....	662 50	\$662 50				
Francisco Castro.....	Horses, cattle, &c.....	3,045 00		3,045 00			
Jose Jesus Vallejo.....	do.....	2,825 00		2,825 00			
Francisco Arce.....	Horses.....	5,000 00		5,000 00			
Burno Bernal.....	Horses, cattle, &c.....	10,750 00		10,750 00			
Francisco B. Branch.....	Horses.....	1,250 00			d1,250 00		
Jose S. Beneyeza.....	Horses, cattle, &c.....	5,595 00		5,595 00			
Victor Castro.....	do.....	12,912 50		12,912 50			
Joachim J. Castro.....	do.....	8,516 00		8,516 00			
Maria Josepha Sanchez.....	do.....	9,080 00		9,080 00			
Ignacio Pacheco.....	do.....	5,540 00		5,540 00			
Juan B. Alvarado.....	do.....	11,605 00		11,605 00			
Marcus Vacca.....	do.....	4,967 00		4,967 00			
Benito Diaz.....	do.....	1,505 00		1,505 00			
Jose Raphael Gonzalez.....	do.....	26,200 00		26,200 00			
Vicente F. Gomez.....	do.....	13,221 25		13,221 25			
Gabriel de la Rosa.....	do.....	13,221 25		13,221 25			
		\$1,375 00		\$1,375 00			

Santiago Duckworth	do	3,950 00	3,950 00		
Vincente Espinosa	do	3,285 00	3,285 00		
Vincente Martinez	Horses	5,050 00	5,050 00		
Santiago E. Arguello	Horses, cattle, &c	14,888 00		14,888 00	
John Monet	A rifle, &c	30 00		30 00	
Nicanor Lugo	Horses, cattle, &c	1,870 00		1,870 00	
Bernardena Soto	do	878 00		878 00	
Vincente Cantua	do	3,661 50		3,661 50	
Juan Pedra Alariza	Horses, &c	11,665 00		11,665 00	
William Benner	Transportation	950 00	950 00		
Swift & Ford	Horses	1,920 00		1,920 00	
Milton Little	Clothing, &c	166 75		166 75	
Charles E. Pickett	A rifle, &c	100 00		100 00	
Do	Horses	160 00		160 00	
Do	A saddle, &c	85 00		85 00	
Jose Castro	Horses	20,000 00		20,000 00	
Pancho Garcia	Horses, cattle, &c	1,535 00		1,535 00	
Mariano Miranda	do	4,405 00		4,405 00	
Francisca Moraga	Horses, arms, &c	3,820 00		3,820 00	
Bernardena Garcia	Horses, &c	1,875 00		1,875 00	
Alexander Mesa	Horses and mules	4,220 00		4,220 00	
Isaac Williams	Destruction of house, &c	138,008 40		138,008 40	
Henry King	Horses, &c	110 00		110 00	
Lewis T. Burton	Horses	150 00		150 00	
Samuel Kelsey	Subsistence	14 85	14 85		
Do	Services as cook, &c	19 75	19 75		
H. C. Smith	A rifle	25 00		25 00	
Manuel Joy	A horse	20 00		20 00	
William Breck	A rifle and pistols	80 00		80 00	
Isaac J. Sparks	do	90 00		90 00	
Do	Tobacco	11 00		11 00	
John Grigsby	Saddles, &c	44 00		44 00	
Do	Horses, &c	135 00		135 00	
Elias Barnett	Horses	115 00		115 00	
Do	A saddle, &c	20 25		20 25	
A. C. Jessee	do	13 50		13 50	
J. A. Griffith	Repairing barracks	1,000 00		1,000 00	
Manuel Espenosa	A rifle, &c	45 00		45 00	
John P. Long	Clothing	43 00		43 00	
Isaac Williams	Arms	588 25		588 25	
Ridson Moore	Work done	217 25		217 25	

a Not within the jurisdiction of the board for examination; withdrawn by claimant.

b Submitted afterwards in a modified form, as claim No. 7, 8, 9.

c This was withdrawn as a claim before the board. It has been settled by act of Congress.—(See act for relief of Lieutenant Colonel Fremont, approved March 3, 1853, being included in claim No. 6.)

d Destruction of property by Mexican troops.

e Destruction of property by Mexican troops; \$11,548 of this recommended to the favorable consideration of Congress.—(See report No. 142, Senate, 1st session 32d Congress, Senate bill No. 305.)

f Property destroyed by the Mexican troops; recommended for examination by the board.

g Not within the jurisdiction of the board for examination.

h Destruction of property by American troops; recommended for examination by the board.

## B—Continued.

Original claimant.	Nature of claim.	Amount claimed.	Amount disallowed.	Amount suspended.	Amount ruled out.	Amount withdrawn.	Amount registered, but no opinion given.
Louis Robidoux....	Arms, &c.....	\$110 50			a\$1 10 50		
Do.....	Clothing.....	16 00		\$16 00			
John Rowland.....	Arms.....	55 00			a55 00		
Ralph L. Kilburn.....	Services as scout.....	217 43		217 43			
Mary Bennett.....	Horses.....	120 00		120 00			
William Anderson.....	Horses, &c.....	1,500 00		1,500 00			
Do.....	Horses, arms, &c.....	171 00		171 00			
Jose Maria Sanchez.....	Horses.....	670 00		670 00			
William Knight.....	do.....	195 00		195 00			
John Roland.....	Horses, cattle, &c.....	1,460 00			b1,460 00		
Joseph Perdue.....	do.....	1,805 00			b1,805 00		
John Reed.....	do.....	788 00			b788 00		
M. M. Wambough.....	A horse.....	25 00		25 00			
H. L. Ford.....	Clothing.....	166 75		166 75			
John Temple.....	Ordinance supplies.....	247 25		247 25			
Hiram Rhensan.....	Arms.....	15 00			a15 00		
George McDougall.....	Clothing, &c.....	35 00		35 00			
D. A. Davis.....	Arms, &c.....	35 00			a35 00		
John Temple.....	Sundries.....	2,760 12½		2,760 12½			
Do.....	do.....	1,084 46		1,084 46			
Vance Weever.....	A saddle, &c.....	13 00		13 00			
John Temple.....	Sundries.....	7 75		7 75			
Do.....	Subsistence.....	976 09	\$976 09				
Do.....	Tin cups, &c.....	18 00		18 00			
Do.....	Supplies.....	143 26		143 26			
Do.....	Cattle, saddles, bridles, clothing, &c.....	7,962 50			a7,962 50		
Leonardo Yguera.....	Horses, cattle, arms, &c.....	12,072 00		12,072 00			
Juan de Dios Silva.....	do.....	10,695 00		10,695 00			
Manuel Castro.....	Horses and cattle.....	10,080 00		10,080 00			
Francisco Gonzales.....	Horses, cattle, arms, &c.....	15,850 00		15,850 00			
Francisco Garcia.....	do.....	14,625 00		14,625 00			
Ramon Miramontes.....	do.....	15,010 00		15,010 00			
Joseph.....	A horse.....	35 00			a35 00		
Do.....	Sundries.....	387 81					

Ernesta Manjares .....	Horses, cattle, &c.....	8,778 50				8,778 50
Rafael Pineda .....	Coke, &c.....	1,164 00				1,164 00
D .....	Saddle, horses .....	1,300 00				1,300 00
Carmen Garcia .....	Horses and cattle .....	2,152 00				2,152 00
Jose de Anesti .....	Horses .....	7,000 00				7,000 00
Milton Little .....	Clothing, &c.....	826 12½				826 12½
Joseph Davis .....	Ox yoke, &c.....	24 00				24 00
Milton Little .....	Clothing .....	6 00				6 00
George Goutlett .....	Shoeing horses .....	60 50				60 50
Milton Little .....	Rifles .....	20 00				20 00
Do .....	do .....	40 00				40 00
Patrick McChristian .....	do .....	20 00				20 00
Bounty Fales .....	Cattle .....	236 00				236 00
Tiburcia Asedo .....	Horses, cattle, &c.....	8,670 00				8,670 00
Jose Abrego .....	Travelling carriage .....	600 00				600 00
Francisco Garcia .....	Horses, cattle, &c.....	2,170 00				2,170 00
Felipe Santiago Garcia .....	Horses, &c.....	1,042 00				1,042 00
Carmen Garcia Barretta .....	Horses and cattle .....	2,582 00				2,582 00
R. C. M. Hoyt .....	Saddle, bridle, &c.....	27 50				27 50
Do .....	Clothing .....	45 75				45 75
C. Caldwell .....	1 iron pot.....	6 00				6 00
		647,375 55	2,623 19	801,808 88½	166,578 65	\$147,800 00
						23,570 37½

a Not within the jurisdiction of the board for examination.

b Recommended for examination by the board

## C.

*Statement showing the number of horses, mules, and cattle purchased and paid for by Lieutenant Colonel John C. Frémont, for the use of his battalion of California volunteers in 1846 and 1847, as shown in his accounts on file in the Third Auditor's Office.*

Vouchers.	Names.	Horses.	Mules.	Cattle.
1 B....	Albin, Charles.....	1		
7 B....	Alvarado, F. M.....	1		
8 B....	.....do.....	1		
11 B....	Alvarado, Juan.....	1		
54 B....	Bercier, Francis.....	2		
76 B....	Barrett, James.....	2		
100 B....	Black, Joseph.....	3		
122 B....	Borondo, Jose E.....			
123 B....	.....do.....			
128 B....	.....do.....			
1 B....	Bent, St. Vrain & Co.....		35	
4 B....	Bandini, Juan.....			
65 B....	Chouteau, P., jr., & Co.....			
107 B....	Carson, Christopher.....	1	1	
103 B....	Canteur, Vincenti.....			
121 B....	.....do.....			
111 B....	Covarrubill, Jose M.....			
115 B....	Contour, J. J.....			
9 B....	Carrillo, Alexander.....	1		
3 B....	Cantour, Jose M.....			
133 B....	Estrada, Joaquin.....			
4 B....	Evano, Simon.....	3		
114 B....	Franco, Pablo.....			
47 B....	Gilvry, John.....			
4 B....	Green, Talbot & Co.....			
3 B....	.....do.....	18	4	
55 B....	Hicks, William.....	6		
86 B....	Hudspeth, B. M.....		7	
9 B....	Housano, Leander.....	2		
57 B....	Johnson, William.....			
59 B....	Myers, John J.....	17		
110 B....	Montes, Jose.....			
5 B....	Osuna, Leander.....	3		
7 B....	Osuna, Julio.....	1		
12 B....	Osuna, Juan M.....	1		
101 B....	Payne, R. K.....	1		
48 B....	Thadden, Thomas J.....			
58 B....	Sicard, Theodore.....			
96 B....	Sunal, Antonio.....			
2 B....	Spinosa, Pedro.....			
108 B....	Taman, Ignacio.....	6		
10 B....	Tolo, Lorenzo.....	1		
79 B....	Winsonhaler, L. D.....	2		
14 B....	King, Henry and C. Carson.....	126	17	
99 B....	Sutter, John A.....	11	10	
	Total.....	211	74	

*Statement showing the number of horses, mules, cattle, sheep, and quantities of corn, flour, and wheat, purchased and paid for by Captain Henry King for Frémont's battalion of California volunteers in 1846 and 1847, as shown by his accounts on file in the Third Auditor's Office.*

Vouchers	Names.	Horses.	Mules.	Cattle.	Sheep.
23 B....	Angulo, Manuel .....	.....	.....	1	1
5 B....	Bandini, Juan .....	.....	.....	22	.....
64 B....	Bajo, Ricardo .....	.....	.....	6	.....
50 B....	Domingo, Pedro .....	.....	.....	12	.....
53 B....	.....do.....	.....	.....	15	.....
58 B....	Domingo, John .....	.....	.....	11	.....
70 B....	Davenport, A. ....	.....	.....	1	.....
8 B....	Ebarra, Andrew .....	.....	.....	1	1
12 B....	.....do.....	5	.....	.....	.....
3 B....	Foster, Joseph E. ....	.....	.....	.....	1
7 B....	.....do.....	1	.....	.....	.....
1 B....	Garcia, Jose .....	.....	.....	4	.....
42 B....	Green, Talbot & Co. ....	.....	.....	35	.....
57 B....	Gallardo, Jose F. ....	.....	.....	4	.....
45 B....	Green, Jacob .....	1	.....	.....	.....
26 B....	Islip, George .....	.....	.....	1	.....
3 B....	Jarvis, J. F. ....	1	.....	.....	.....
9 B....	Ivana, Simon .....	1	.....	.....	.....
38 B....	Knight, William .....	1	.....	.....	.....
22 B....	Munsen, John .....	.....	.....	1	.....
27 B....	Marrea, Jesus F. ....	.....	.....	1	.....
31 B....	Martin, Julius .....	.....	.....	1	.....
35 B....	Murphy, Daniel .....	.....	.....	6	.....
14 B....	Owens, Richard .....	.....	.....	1	.....
19 B....	.....do.....	.....	.....	5	.....
21 B....	.....do.....	.....	.....	1	.....
24 B....	Ostego, Maria .....	.....	.....	1	.....
28 B....	Owens, Richard .....	.....	.....	1	.....
29 B....	.....do.....	.....	.....	1	.....
30 B....	.....do.....	.....	.....	1	.....
34 B....	.....do.....	.....	.....	1	.....
16 B....	Ortes, Naccerio .....	1	1	.....	.....
31 B....	Owens, Richard .....	7	.....	.....	.....
15 B....	Roland, John .....	.....	.....	6	1
18 B....	Reed, J. ....	.....	.....	2	.....
25 B....	Robbins, Thomas M. ....	.....	.....	1	.....
69 B....	Reed, John .....	.....	.....	1	.....
24 B....	Roland, John .....	.....	4	.....	.....
37 B....	Sutter, John A. ....	.....	.....	2	.....
49 B....	Sanchez, Thomas .....	.....	.....	1	.....
51 B....	.....do.....	.....	.....	16	.....
55 B....	.....do.....	.....	.....	24	.....
59 B....	Salazar, Jose .....	.....	.....	8	.....
61 B....	Sanchez, Thomas .....	.....	.....	3	.....
63 B....	Sanchez, Juan .....	.....	.....	1	.....
65 B....	.....do.....	.....	.....	3	2
73 B....	Salazar, Jose .....	.....	.....	3	.....
1 B....	Scott, Gabriel .....	1	.....	.....	.....
2 B....	Sanders, John .....	1	.....	.....	.....
8 B....	Soto, Lorenzo .....	17	.....	.....	.....
10 B....	.....do.....	1	.....	.....	.....
16 B....	.....do.....	.....	.....	.....	.....
16 B....	Temple, John .....	.....	.....	2	.....
27 B....	.....do.....	.....	1	4	.....
39 B....	Vincent, George W. ....	.....	.....	1	.....
20 B....	Warren, J. T. ....	.....	.....	2	.....
48 B....	Wormbough, M. ....	1	.....	.....	.....
	Total .....	39	6	215	5

*Statement showing the number of horses, mules, and cattle purchased and paid for by Quartermaster J. R. Snyder, for Frémont's battalion of California volunteers in 1846 and 1847, as shown by his accounts on file in the Third Auditor's Office.*

Vouchers.	Names.	Horses.	Cattle.	Sheep.
16 B .....	Archambeau, A. ....	1		
7 B .....	Bercio, F. ....	1		
17 B .....	Belcher, L. ....	1		
10 B .....	Castro, Mariana. ....		1	
36 B .....	Llosbar, Aidosa. ....	20		
44 B .....	Lugo, Felipe. ....	6		
55 B .....	McLane, Louis, jr. ....	5		
22 B .....	Pico, Jesus. ....	9		
19 B .....	Reading, P. B. ....	3		
30 B .....	Russell, W. R. ....	1		
28 B .....	Sepulveda, F. ....	1		
26 B .....	Sepulveda, Manuel. ....	1		
34 B .....	Salazar, Jose. ....	1		
31 B .....	Temple, J. ....	9		
2 B .....	Williams, Benjamin. ....	1		
43 B .....	Wilson, J. R. ....	1		
	Total. ....	61	1	

*Statement showing the number of horses, mules, cattle, and sheep purchased and paid for by Brevei Major A. H. Gillespie, for Frémont's battalion of California volunteers in 1846 and 1847, as shown by his accounts on file in the Third Auditor's Office.*

Vouchers.	Names.	Horses.	Mules.	Cattle.	Sheep.
8 B .....	Alexander, D. M. ....			1	
49 B .....	Alvarado, F. M. ....			1	
37 B .....	Aguilar, J. M. ....				
3 B .....	Arguello, S. E. ....	4			
3 B .....	Alvarado, Juan. ....	2			
3 B .....	Arguello, Ramon. ....	4			
7 B .....	Bidwell, John. ....	4			
3 B .....	Bandini, Juan. ....				
24 B .....	Johnson, James. ....	5			
7 B .....	Lugo, Vincenti. ....			3	
3 B .....	Maurigues, Manuel. ....	2			
5 B .....	McVicker, Henry. ....	9			
3 B .....	Ortego, Jose. ....	2			
3 B .....	Orantes, Antonio. ....	11	10		
3 B .....	Ozema, Julio. ....	2			
0 B .....	Pedrovena, Michael. ....	2			
57 B .....	Reed, John. ....			11	
8 .....	Peralta, Juan. ....	1			
8 .....	Sanchez, Thomas. ....		1		
3 .....	Stearns, Abel. ....	1			
6 .....	Snook, Joseph F. ....	12			
37 .....	Warner, J. T. ....	1			
37 .....	Wall, Enos. ....	3			
9 .....	Warren, J. ....	1		1	
	Total. ....	66	11	17	



TREASURY DEPARTMENT,  
*Register's Office, August 16, 1856.*

SIR: In compliance with the reference of the resolution of the Senate of the United States of August 11, 1856, I have the honor to transmit herewith certified copies of papers on file in this office, relating to the accounts of Col. John Charles Frémont, Nos. 1, 2, 3, 4, 5, and 6.

From these papers it appears that Col. Frémont received, as senator from California, first session 31st Congress, the following sums, to wit:

September 30, 1850. Mileage, 10,270 miles	-	-	\$4,108 00
September 30, 1850. Per diem, 230 days	-	-	1,840 00
December 2, 1853. Additional mileage, 3,686 miles, short charged 1st session 31st Congress	-	-	1,474 40
February 11, 1854. Per diem for detention by sickness on journey home, after first session 31st Congress, 86 days	-	-	688 00
Total amount received as senator	-	-	<u>8,110 40</u>

Under the act of Congress approved March 3, 1853, entitled "An act for the relief of John Charles Frémont, late lieutenant colonel in the army of the United States," the following sums have been paid, to wit:

August 29, 1853. To R. Withers, cashier, for bill of exchange on London	-	-	\$48,843 33
January 25, 1856. To John Charles Frémont—the amount of two bills of costs for defending said Frémont in the action brought against him by A. Gibbs & Son, in England; payment made by carrying the amount to the credit of said Frémont on the books of the Third Auditor	-	-	2,150 49
Total payments under act of March 3, 1853	-	-	<u>50,993 82</u>

Under the act of Congress approved July 29, 1854, entitled "An act authorizing the Secretary of the Treasury to pay John Charles Frémont for beef furnished the California Indians," the following sums have been paid:

August 2, 1854. To John Charles Frémont	-	-	\$220,472 52
August 25, 1854. To John Charles Frémont, by carrying to his credit on the books of the offices of the Second, Third, and Fourth Auditors	-	-	21,563 73
Total payments under act of July 29, 1854	-	-	<u>242,036 25</u>

## RECAPITULATION.

Services as senator, mileage and per diem	-	-	\$8,110
Paid under act of March 3, 1853	-	-	50,993
Paid under act of July 29, 1854	-	-	242,036
			<hr/>
			301,140

I am, with great respect, your obedient servant,

F. BIGGER, *Register*.

Hon. JAMES GUTHRIE, *Secretary of the Treasury*.

No. 1.

[No. 1180.]

WASHINGTON, *September* 30, 1850.

Received, of Asbury Dickins, Secretary of the Senate of the United States, five thousand nine hundred and forty-eight dollars and —cent on account of my compensation as a senator for the first session of the thirty-first Congress,

\$5,948

J. C. FRÉMONT.

DECEMBER 2, 1853.

Received of Asbury Dickins, Secretary of the Senate, fourteen hundred and seventy-four dollars and forty cents, being the amount due me on account of my short charge for mileage as a senator of the United States from the State of California at the first session of the thirty-first Congress.

JOHN CHARLES FRÉMONT

Approved December 2, 1853.

D. R. ATCHISON

[No. 8.]

OFFICE OF SECRETARY OF THE SENATE,  
*Washington, December 2, 1853*

Messrs. Corcoran & Riggs, pay to Hon. John C. Frémont or bearer fourteen hundred and seventy-four dollars and fifty cents.

\$1,474 40.

ASBURY DICKINS,  
*Secretary of the Senate*

Mr. Frémont's receipt herewith.

Know all men by these presents, that I, John C. Frémont, now of the city of Washington, for and in consideration of the entire confidence that I repose in the capacity and integrity of Richard Burgess of the city of Washington in the District of Columbia, do hereby constitute and appoint him my full authorized and sole agent or attorney to represent and attend for me and in my name to the settlement and prosecution of all and whatsoever claims I have or may have against any of the departments of the government, and generally to do every thing for me in the premises that I myself might or could do were I personally present and acting for myself. It is furthermore my full

intention by this instrument to invest my said agent or attorney with full and ample power to receive and receipt for all monies due me, from any source whatsoever contemplated by this power of attorney, hereby solemnly binding myself to ratify all and each of his acts. In testimony whereof I have hereunto subscribed my name and affixed my seal at the city of Washington this 31st day of August, in the year one thousand eight hundred and forty-eight.

J. C. FRÉMONT. [L. s.]

In presence of—

RICHARD KEY WATTS,  
A. B. THURSTON.

CITY OF WASHINGTON, D. C., }  
Washington county. } ss.

On this 31st day of August, in the year eighteen hundred and forty-eight, personally appeared John C. Frémont, before me, the undersigned, a justice of the peace in and for the county and District aforesaid, and acknowledged the above power of attorney to be his act and deed for the purposes therein contained.

[L. s.]

RICHARD KEY WATTS, *J. P.*

TREASURY DEPARTMENT,  
*Third Auditor's Office, January 5, 1854.*

I certify that the above is a true copy of the original on file in this office.

F. BURT, *Third Auditor.*

JANUARY 10, 1854.

I know that Mr. Richard Burgess is the general agent of John Charles Frémont to transact business for him at Washington, and I know that Mr. Frémont left it with him to receive what might be coming to him on account of his detention in getting home to the Mariposas and returning to his duties here by illness.

THOMAS H. BENTON.

[No. 11.] OFFICE OF SECRETARY OF THE SENATE,  
*Washington, February 11, 1854.*

Treasurer of the United States pay to Richard Burgess, attorney of Hon. J. C. Frémont, or order, six hundred and eighty-eight dollars.

\$688.

(See accompanying document)

ASBURY DICKINS,  
*Secretary of the Senate.*

TREASURY DEPARTMENT,  
*Register's Office, August 16, 1856.*

The foregoing are true copies of original papers on file in this office.

F. BIGGER,  
*Register.*

## No. 2.

[No. 111,625.]

TREASURY DEPARTMENT,  
*First Auditor's Office, August 27, 1853.*

I hereby certify that I have examined and adjusted an account between the United States and R. Withers, cashier of the bank of the State of New York, and find that the sum of forty-eight thousand eight hundred and forty-three dollars and thirty-three cents is due from the United States to him, being the cost of a bill of exchange on London for £10,013 8s 10d sterling, at an advance of 9 $\frac{1}{4}$  per centum, payable under the act of 3d March, 1853, entitled "An act for the relief of John Charles Frémont, late lieutenant colonel in the army of the United States"—approved March 3, 1853.

As appears from the statement and vouchers herewith transmitted for the decision of the comptroller of the Treasury thereon.

\$48,843 33

T. L. SMITH,  
*First Auditor.*

To the FIRST COMPTROLLER OF THE TREASURY.

COMPTROLLER'S OFFICE

I admit and certify the above balance, this 29th day of August 1853.

E. WHITTLESEY,  
*Comptroller.*

To the REGISTER OF THE TREASURY.

The papers are attached to the statements, which show that the Secretary of the Treasury had acted in the matter as he was required to do by the proviso to said act.

ELISHA WHITTLESEY

TREASURY DEPARTMENT, *July 7, 1853.*

SIR: I have examined the claim presented in behalf of Col. Frémont under the act passed for his relief on the 3d of March last

This act directs the Secretary of the Treasury to pay the amount of a judgment (with reasonable expenses of defending the suit) obtained by A. Gibbs & Son, assignees of F. Huttman, against said Frémont in her Majesty's court of exchequer, on four several bills of exchange drawn by said Frémont, at Ciudad de los Angeles, on the 18th March 1847, on the Secretary of State, of which payment was refused. The question arising in the case is on the construction of the proviso to the act, in the following words: "Provided, that before the payment of the same, or any part thereof, the Secretary of the Treasury shall be satisfied that the amount has been expended for the benefit of public service."

Will the condition of the proviso be satisfied by showing that the money was simply disbursed by Col. Frémont in the necessary support of his military operations? That there was a merely temporary outlay of the money on the part of Col. Frémont since paid back and refunded, or must it appear that the money has been expended and remains expended, or in other words has never been repaid, and is, in point of fact, due from the government?

The legislative history of the act may furnish you some aid in determining the question. The act which passed the Senate is herewith submitted. It is, as you will perceive, without the proviso, and is, of course, a naked direction for the payment of the judgment. In the House the following amendment was adopted "strike out all after the enacting clause, and insert in lieu thereof the following: That the Secretary of War be, and he is hereby, authorized to pay John Charles Frémont nineteen thousand five hundred dollars, and deduct the same from the amount that may be found due the said Frémont on the final settlement of his accounts: *Provided*, that nothing herein contained shall be construed so as to require the Secretary of War to recognize the validity of the claims of the said Frémont upon which actions are pending or judgments may have been obtained in favor of Antony Gibbs & Sons, assignees of Huttman, in the courts of her Majesty the Queen of Great Britain."

The Senate having disagreed to the amendment, a committee of conference was appointed by each House, whose report, recommending the bill as it passed with the addition of the proviso, was adopted, as follows:

"The committee of conference upon the disagreeing votes of the two Houses upon Senate bill number 573, report that they have met, and after a full and free conference upon the same have agreed to recommend and recommend as follows: 'That the House recede from its amendment, and agree to the bill of the Senate with the following amendment, to wit: *Provided*, that before the payment of the same or any part thereof, the Secretary of the Treasury shall be satisfied that the amount has been expended for the benefit of the public service.'" The debate which took place in the House, and resulted in the adoption of the amendment, may be found in the congressional Globe, pp. 593 to 603. It took a wide range, and embraced a number of points bearing directly or indirectly on the case; namely, as to the state of Col. Frémont's accounts with the government, his claims. Whether the avails of these drafts had been applied to the public service, and had been accounted for; whether the amount was or was not due his services in the war; the fact that the drafts had been filed, with other claims growing out of his operations, before the board of officers, and that the board had recommended the claim made on account of the drafts for allowance. The said board did, in fact, recommend the payment of the drafts; but it is to be remarked that the claim was filed by Huttman, and not by Col. Frémont. The language of the report is "the board is of opinion that the claim is just, and recommend it to the favorable consideration of Congress." The grounds of the opinion so reported are not set forth; it is not stated whether the claim of Huttman is just, simply because he is the

holder of the drafts of an accredited officer of the government because the money was, in the opinion of the board, due the United States to Col. Frémont.

It would seem that the board did not have before it the accounts of Col. Frémont and others, or other evidence in the department, having a bearing upon Huttman's, or other claims presented to it, the reason of which is set forth as follows, in the latter transmitting the report to Congress: "The very limited powers conferred upon the board by Congress restricted it in the examination of the claims presented to simply receiving such explanations and testimony as might be offered by the claimants, or their agents, or assignees, and not to seek the same from any other than official sources, such as the records of the treasury and other departments of the government might furnish."

I have resorted to the accounts of Col. Frémont in the Second, Third, and Fourth Auditor's offices of the treasury, to derive what information they afford touching both the expenditure of the proceeds of these drafts and the condition of Col. Frémont's accounts, so far as accounts have been presented and adjusted. On the 18th of August, 1848, Col. Frémont, being then in Washington, transmitted to the War Department his accounts for disbursements in California, during the years 1846 and 1847.

In his general account he charged himself with moneys received by him from Purser Speiden and Captain Gillespie, of the marine corps, amounting to	-	-	-	-	-	\$23,199 41
And he claimed credit for disbursements and advances amounting to	-	-	-	-	-	42,861 15
Leaving due him	-	-	-	-	-	19,661 73

It is admitted by his agent that the whole of this sum was paid to him; on September 7, 1848, \$9,056 07 was paid on account of said balance; on April 5, 1850, \$1,673 74 was paid, and the residue was merged in other settlements, and as set-offs against other balances. Appended to the said accounts so rendered and settled is the following note:

"In addition to the sums above credited, I drew two drafts on the State Department, in 1847, one in favor of F. Huttman, at Ciudad de los Angeles, for \$19,000, (less the amount of 30 per cent. premium paid,) and the other for \$1,000, (less a premium of 25 per cent.,) in favor of William Wolfsknott; which drafts having been protested and not recognized by the government, I do not consider them chargeable to my account.

"J. C. FRÉMONT."

The description of the drafts herein given is inaccurate. The amount drawn in favor of Huttman is stated to be \$19,000 in only one draft, but there was only one transaction with Huttman, namely, for two drafts, amounting to \$19,500, and it is admitted that this note applies to, and is intended to describe, that transaction. Of the sums that

described by Colonel Frémont, the following were subsequent to the 15th March, 1847, the date of the drafts:

March 21,	P. B. Reading	-	-	-	-	\$562 86
" 22,	J. K. Wilson	-	-	-	-	24 00
" 29,	Samuel J. Hendley	-	-	-	-	500 00
" 29,	J. R. Snyder	-	-	-	-	650 00
" 29,	P. B. Reading	-	-	-	-	1,225 01
" 30,	P. B. Reading	-	-	-	-	550 00
" 30,	P. B. Reading	-	-	-	-	367 00
" 30,	J. K. Wilson	-	-	-	-	139 00
April 2,	S. J. Hendley	-	-	-	-	250 00
" 17,	S. J. Hendley	-	-	-	-	200 00
" 18,	Mellus & Howard	-	-	-	-	1,000 00
" 21,	P. B. Reading	-	-	-	-	3,308 09
" 21,	P. B. Reading	-	-	-	-	5,670 16
October 6,	Theodore Talbot	-	-	-	-	250 00
						<hr/>
						14,696 12
						<hr/>

These vouchers show substantially the expenditure of the net proceeds of the drafts, say \$15,000. In addition, a statement of Major Gillespie, of the marine corps, is exhibited, who was with Colonel Fremont at the time, which declares "he is fully satisfied that every dollar obtained from Mr. Huttman was expended for the public service." On the other hand, it appears that, over and above the amounts paid Colonel Frémont on settlement in 1848, the following debits have since been charged against him:

In the Second Auditor's office—

March 31, 1851.—Recharged by order of the Sec-					
retary of War, being amount of transfer to W.					
H. Russell	-	-	-	-	\$100 00
September 15, 1852.—Amount received from P.					
B. Reading 21st April, 1847	-	-	-	-	631 85
					<hr/>
					\$771 85

In the Third Auditor's office—

April 10, 1851.—Recharged by order of the Secretary of					
War, being amount transferred to W. H. Russell	-				810 00

In the Fourth Auditor's office—

March, 1853.—Received from Major A. H. Gillespie, under					
head of military contributions	-	-	-	-	4,846 00
					<hr/>
Amounting to	-	-	-	-	6,427 85
					<hr/>

Thus it appears:

1. That, in a literal sense, the proceeds of the drafts referred to were expended for the benefit of the public service.
2. That the amount of said expenditure has been refunded to, and settled in account with Colonel Frémont.
3. That Colonel Frémont is, over and above and in other accounts, now indebted on the books in the sum of \$6,427 85.

To which is to be added, if the present payment is made, the amount



of said drafts, less the premium of \$4,500, say \$15,000; making an aggregate indebtedness of \$21,427 85.

If I may be permitted to express an opinion on this transaction, it is that two grave errors have been committed.

1. In refusing to accept and pay drafts of an officer in command placed in the most embarrassing circumstances on a distant station.

2. In refunding to him the disbursements made out of the proceeds of these drafts whilst they remained outstanding with a colorable, if not unquestionable, right to payment from the government.

Respectfully submitted.

P. G. WASHINGTON,  
*Assistant Secretary of the Treasury.*

Hon. JAMES GUTHRIE,  
*Secretary of the Treasury.*

TREASURY DEPARTMENT, *July 9, 1853.*

Upon consideration of the act of the 3d of March, 1853, for the relief of John Charles Frémont, late lieutenant colonel in the army of the United States, and the report of P. G. Washington, Assistant Secretary of the Treasury, and the accounts therein referred to, I am satisfied that the proceeds of the four bills of exchange named in said act was expended for the benefit of the public service, and that it was the intention of said act that the judgments obtained in her Majesty's court of exchequer, Westminster, upon said bills against said Frémont, should be paid to Anthony Gibbs & Son, assignees of P. Huttman, without regard to the state of accounts between the United States and said Frémont; and I, therefore, direct that the said judgment be paid under the authority of said act, by writing to the United States minister in London, and requesting him to ascertain the amount of said judgment, with interest and costs, and pay the same by a draft on this department, and have the judgment satisfied, and obtain the original bills and forward them to this department. I am further satisfied that, upon the United States paying said judgment, the said Frémont will be indebted to the United States in the further sum of fifteen thousand dollars, with interest from the date of his settlement in 1848, with which he should be charged and then called on to settle the balances against him.

JAMES GUTHRIE,  
*Secretary.*

TREASURY DEPARTMENT, *July 9, 1853*

SIR: I have the honor to enclose herewith a copy of an act of Congress, approved 3d of March last, entitled "An act for the relief of John Charles Frémont, late a lieutenant colonel in the army of the United States," for the purpose of respectfully requesting your aid in carrying the said act into effect. To this end may I ask the favor of you to ascertain the amount of the judgments, damages, and costs,

payable as directed by the act, and upon doing so, to draw on this department for the amount, at sight, for which you will consider this letter your sufficient authority.

The expenses of defence, which are also provided for in the act, have, I presume, been paid by Colonel Frémont, and as he will doubtless present his claim for reimbursement at the department, these expenses need not engage your attention.

Upon satisfying the judgment as thus suggested, by the issue of your draft, will you be pleased to obtain a certificate, in due form, of satisfaction, and furthermore, will you be pleased to obtain the original drafts which were the foundations of the suit, and transmit them, with the certificate of satisfaction, to this department?

The reason of my request in respect to the drafts is that, as the amount of their net proceeds to Colonel Frémont will become upon their payment a proper charge against him, the drafts may be in possession of the government to sustain said charge.

I am, very respectfully, your obedient servant,

JAMES GUTHRIE,  
*Secretary of the Treasury.*

Hon. J. R. INGERSOL,  
*United States Minister, &c., London.*

TREASURY DEPARTMENT, *August 25, 1853.*

SIR: I will thank you to procure and transmit to this department a set of exchange on London for £10,013 8s. 10d. sterling.

The bill to be negotiated in favor of Samuel Casey, esq., Treasurer of the United States, with the usual guaranty.

Be pleased to send an account for the cost of the bill, and the amount will be immediately remitted.

I am, very respectfully,

JAMES GUTHRIE,  
*Secretary of the Treasury.*

JOHN A. DIX, Esq.,  
*Assistant Treasurer of the United States.*

OFFICE OF THE ASSISTANT TREASURER, UNITED STATES,  
*New York, August 26, 1853.*

SIR: I enclose a draft on London, in triplicate, for £10,013 8s. 10d., which I purchased at nine and three-fourths premium, as you will observe by the enclosed bill. Please forward a draft for the amount, \$48,843 33, to R. Withers, esq., cashier of the bank of the State of New York, by which the draft is guaranteed.

Exchange has risen since yesterday, and is rising.

I am, very respectfully, your obedient servant,

JOHN A. DIX,  
*Assistant Treasurer.*

Hon. JAMES GUTHRIE,  
*Secretary of the Treasury.*

COMPTROLLER'S OFFICE, *August 29, 1853.*

Bill received.

H. LANGTRY.

S. M. McKean, *August 27, 1853.**Act March 3, 1853—For the relief of John C. Frémont.*

The United States to R. Withers, cashier, Dr.

For amount of bill of exchange on London, for £10,013

8s. 10d. - - - - - \$48,843 22

JOS. INGLES.

FIRST AUDITOR'S OFFICE, *August 27, 1853.*

LEGATION OF THE UNITED STATES,

*London, August 9, 1853.*

SIR: After I had the honor of addressing a line to you, on the 26th of July, I learned that my offer to pay the amount of the judgment, &c., against Colonel Frémont by a bill on you at sight, on receiving the original bills and certificates of satisfaction, was declined. The plaintiffs, it seems, were advised by their solicitors that they would not be legally justified in giving up the judgment or the bills for anything but cash. The solicitors add that, even if they did take my draft, they would have to pay a commission for getting it paid in the United States, which they could not legally charge to the endorser, and they could not, for these reasons, advise the parties to accept the proposed mode of payment. Under these circumstances, I have conferred with Mr. Bates, of the firm of Baring Brothers & Co., and he says they would pay your draft on that house at three days' sight; but I presume they would charge a commission. I do not feel quite at liberty to pledge the treasury for the payment of a commission, either here or in the United States, being altogether without instructions to that effect. I am to see Mr. Bates again, and will have the pleasure of writing to you by the next opportunity, which will be at the close of the week. I incline now to think that the most eligible course will be for you to draw, as suggested, at sight (three days). The judgment bears only four per cent. interest, instead of the terrible California interest of twenty-five per cent., with which the bills are charged up to the time of trial. The amount of judgment, with interest thereon, to the 4th instant, was £9,881 13s. 9d. Bills are drawn on the United States in dollars. Even if I were to run the risk of paying a commission for cashing a bill here, with which the plaintiffs would have nothing to do, the rate of exchange might not be at all satisfactory to you—the proposal having been that it should be at the rate of 48d. the dollar. As matters stand at present, further instructions are required; but, as I have said, I will write further in a very few days, and am extremely sorry for the present disappointment and delay.

I have the honor to be, sir, very respectfully, your obedient servant,  
J. R. INGERSOLL.

Hon. JAMES GUTHRIE,

*Secretary of the Treasury, Washington, D. C.*

TREASURY DEPARTMENT,  
*Register's Office, August 16, 1856.*

I certify the foregoing to be true copies of original papers on file in this office.

F. BIGGER, *Register.*

—  
 No 3.

[No. 121,338]

TREASURY DEPARTMENT,  
*First Auditor's Office, January 24, 1856.*

I hereby certify that I have examined and adjusted an account between the United States and John Charles Frémont, late lieutenant colonel in the army of the United States, and find that the sum of *two thousand one hundred and fifty dollars and forty-nine cents* is due from the United States to him, being the amount of two bills of costs of E. J. & J. Lawford for defending the said Frémont in an action brought against him by A. Gibbs & Sons in England, to recover payment of certain bills of exchange drawn by said Frémont as governor of California, for supplies for the forces under his command, viz: £444 6s. 4d., at \$4 54, = \$2,150 49, which sum is payable out of any money in the treasury not otherwise appropriated, as provided in "An act for the relief of John Charles Frémont, late lieutenant colonel in the army of the United States," approved March 3, 1853, and to be transferred to his credit on the books of the Third Auditor of the Treasury; the said sum having been allowed by the Secretary of the Treasury in pursuance of the provisions of the act aforesaid.

As appears from the statement and vouchers herewith transmitted for the decision of the Comptroller of the Treasury thereon.

\$2,150 49.

T. L. SMITH,  
*First Auditor.*

To the FIRST COMPTROLLER OF THE TREASURY.

—  
 COMPTROLLER'S OFFICE.

I admit and certify the above amount this 25th day of January, 1856, and that the same shall be carried to the credit of the said Frémont on the books of the Third Auditor of the Treasury.

ELISHA WHITTLESEY  
*Comptroller.*

To the REGISTER OF THE TREASURY.

To be transferred to his credit on the books of the Third Auditor of the Treasury.

*The United States,*

To John C. Frémont, late lieut. col. United States army, DR.

For amount of two bills of costs paid by him to E. J. H. & J. Lawford, for defending him in an action in the court of exchequer, at

Westminster, in England, to recover payment of certain bills of exchange, drawn by the said Frémont as governor of California, for supplies for the forces under his command, viz: £444 6s. 4d., at \$4 84, = \$2,150 49, payable in pursuance of the provisions of an act for his relief, approved March 3, 1853.

D. W. MAHON

FIRST AUDITOR'S OFFICE, *January 24, 1856.*

WILLIAM ANDERSON.

COMPTROLLER'S OFFICE, *January 25, 1856.*

*Colonel John Charles Frémont to E. J. H. and J. Lawford.*

Respecting the action brought against you to recover payment of bills drawn by you as governor of California for supplies for the forces under your command.

IN THE EXCHEQUER.—APRIL 8, 1852.

YOURSELF *als.* GIBBS & OTHERS.

1852.

April 8. You having been arrested at the suit of Messrs. Gibbs upon an order to hold to bail for £3,988 12s. 9d.; attending Mr. Wright, your friend, thereon, and with him to Sloman's lock-up in Cursitor street, Chancery lane; long conference with you thereon, when it appeared that Mr. Geo. Peabody, of Warnford Court, had, in conjunction with another gentleman, offered to become bail, and that the officer had agreed to accept them as such, but he now required £40 to be paid as an inducement to him to do so, when we informed Sloman that the demand would not be submitted to, and that we should see plaintiffs' attorney and offer to put in special bail forthwith; and advising you thereon, the propriety of which you and your friends fully assented to; and afterwards attending Messrs. Tatham & Co., the plaintiffs' attorneys, in Austin Friars, thereon, and tendering the names of Mr. Peabody and Mr. Gorch as bail, and who were ultimately accepted; and it was arranged, in order to save trouble of attending formally to put in bail, that those gentlemen should sign a letter, to be prepared by plaintiffs' attorneys, undertaking to pay the amount, or render you in the event of judgment being ultimately obtained in the action; perusing and approving such undertaking, and attending the bail, getting their signature, and afterwards

£3 3s. 6d.

on plaintiffs' attorneys therewith, when they gave us a consent to your discharge forthwith; and attending at the officer's therewith, who demanded the payment of certain fees which we advised you to resist, and you were ultimately discharged without payment thereof; attending at the judges' chambers, searching for and obtaining office copy of the plaintiffs' affidavit made in support of application to hold to bail, and afterwards for same, self engaged the greater part of the day and clerk the whole day, it being important to get you out of custody this day, to-morrow, Good Friday, being a holiday at the law offices - - -

£ s. d.  
3 3 0

Paid judges' clerk for office copy affidavit, folio 16 0 8 0

Making copy of the undertaking signed by Messrs.

Peabody & Gooch to keep - - - 0 2 0

The like for those gentlemen - - - 0 2 0

Writing Mr. Peabody therewith, and informing him you were set at liberty - - - 0 5 0

Attending you at the Clarendon hotel in long conference on the particulars of the case, and taking notes thereof, and you were to look up the documents and papers in your possession relating to this matter for us - - - 1 1 0

April 10. It being part of the arrangement made with the plaintiffs' attorneys that we should give them an undertaking to enter an appearance for you in the action; drawing such undertaking, and attending plaintiffs' attorneys therewith, and the writ - - - 0 6 8

The action appearing to be brought upon certain bills of exchange drawn by you; writing Messrs. Tatham & Co., requesting them to allow us to inspect and take copies of the bills 0 5 0

10. Attending you on your bringing us several documents, and long conference thereon, and perusing and considering the same, from which it clearly appeared that the bills in question were drawn by you, as governor of California, for supplies for the forces under your command - 1 1 0

12. Drawing retainer for Mr. Attorney General Sir F. Thepger, and copy - - - 0 2 6

Paid his fee - - - 1 3 6

Attending thereon - - - 0 6 8

Plaintiffs' attorneys having refused to allow inspection of the bills; instructions for affidavit in support of application for an order to compel them to do so - - - 0 6 8

Drawing same, folio 16 - - - 0 16 0

April 13. Attending you, reading over and settling the draft; affidavit in part, to be made for obtaining inspection of the bills, and further appointment made for to-morrow	-	-	-	£ s. d.
				0 13 4
14. Attending you, by appointment, again going through the draft affidavit, and finally settling same with you	-	-	-	0 6 8
17. Engrossing affidavit, now folio 13	-	-	-	0 4 4
Making copy for plaintiffs' attorney	-	-	-	0 4 4
Attending you, reading over the engrossment, and afterwards to the judges' chambers to be sworn	-	-	-	0 13 4
Paid two oaths	-	-	-	0 2
Letters; &c.	-	-	-	0 5 0

*Easter Term.*

Entering appearance, and paid fee	-	-	0 7
Notice thereof to plaintiffs' attorneys	-	-	0 4
Plaintiffs' attorneys having delivered declaration and particulars of demand; perusing and considering same	-	-	0 6 8
Making copy thereof for the pleader, folio 16	-	-	0 5 1
Drawing instructions for pleader to advise as to pleas and fair copy	-	-	0 6
Making copy of the plaintiffs' affidavit on the arrest to accompany same, folio 16	-	-	0 5
Attending pleader with instructions, and the several papers	-	-	0 6
Paid his fee therewith and clerk	-	-	1 3
19. Attending him afterwards to appoint conference upon the subject, when to-morrow at 12 was fixed	-	-	0 6
Searching for rule to plead	-	-	0 3
Paid for summons for leave to inspect the bills of exchange and the accounts between the plaintiff and Mr. Huttman	-	-	0 2
Attending judges' clerk thereon, it being very special in form	-	-	0 6
Copy and service thereof on plaintiffs' attorneys	-	-	0 5
20. Attending long conference with the pleader upon the case, and the form of some of the pleas were agreed upon, but it seemed expedient that further consideration of the matter should remain until the result of the application for inspection of the bills and documents had been ascertained	-	-	0 13 4
Paid pleader conference fee and clerk	-	-	1 6
Attending plaintiffs' attorneys on their calling to request that the summons might stand adjourned, which we assented to; but afterwards,			



on considering thereof, it appeared that they should consent that the time for pleading should not run until the summons was disposed of. Attending them, accordingly, in Austin Friars, suggesting this, which they did not seem inclined to do, and we determined in consequence, to attend the summons - -

£ s. d.  
0 6 8

Attending summons accordingly, but plaintiffs' attorney did not attend - - -

0 6 8

Paid for second summons, copy and service on plaintiffs' attorneys - - -

0 5 0

Attending summons before Mr. Baron Alderson, when his lordship made the order, as prayed, for the production of bills and letters received from Mr. Huttman, and reserved liberty to apply again for inspection of accounts in case of a necessity, and ordered a stay of the proceedings in the meantime - - -

0 6 8

Paid filing affidavit - - -

0 1 0

Paid for order thereon, copy and service thereof, on plaintiffs' attorneys - - -

0 5 0

April 23. Writing plaintiffs' attorneys as to the production of the bills and documents, and requesting an appointment for the purpose - - -

0 5 0

29. Plaintiffs' attorneys having served rule nisi to vary the order made by Mr. Baron Alderson so as to exclude the protest and letters attending at the rule office, searching for and bespeaking office copies affidavits on morning for the rule, and afterwards attending for same - -

0 6 8

Paid for them and copy rule - - -

0 9 6

30. Perusing and considering the affidavits - -

0 6 8

Drawing affidavits in opposition, to be filed on showing cause, folio 6 - - -

0 6 0

Engrossing same - - -

0 2 0

Attending to be sworn - - -

0 6 8

Paid oath and exhibits - - -

0 2 6

Drawing brief for Mr. Attorney General to shew cause, three sheets - - -

1 0 0

Fair copy thereof, including the several affidavits, twelve brief sheets - - -

2 0 0

Making copy declaration and particulars of demand to accompany, folios 16 - - -

0 5 4

Making copy order of Mr. Baron Alderson to annex to brief - - -

0 2 0

The like of rule nisi - - -

0 1 0

Paid Mr. Attorney General fee with brief - -

5 10 0

Attending him therewith - - -

0 6 8

Attending at the judges' chambers to request that the plaintiffs' affidavit upon which order to hold bail was obtained, as also an affidavit



Attending summons when, after waiting a long time, no judge attended and the summons was therefore adjourned till to-morrow - -		£	s.	d.
		0	6	8
Attending previously at the rule office to request that the affidavit upon which the former order had been obtained might be sent to the judges' chambers, as it was necessary to refer to it upon present application - - - -		0	6	8
May 12.	Attending summons by adjournment when, after waiting some considerable time, the judge went away from chambers before Mr. Willis, the plaintiffs' counsel, arrived, and plaintiffs' attorneys were to make some other early appointment	0	6	8
15.	Not having heard from plaintiffs' attorney as to attending summons, attendance upon them, when they promised to see their counsel on the subject - - - -	0	6	8
	Attending obtaining the printed report of the Senate on the California claims - -	0	6	8
	Perusing and considering same, 83 pages -	2	2	0
17.	Attending plaintiffs' attorneys on their calling upon us with reference to the summons, and arranging the same for to-morrow, and they requested we would let them have another copy of the affidavit - - - -	0	6	8
	Making copy of the affidavit and attending them therewith - - - -	0	6	8
	Attending Mr. Edye, informing him of the arrangement for attending the summons, and to appoint him to attend - - - -	0	6	8
18.	Attending at the judges' chambers accordingly, when counsel were heard on both sides, and ultimately Mr. Baron Martin expressed his wish that the application should be made to the court, and so endorsed the summons -	0	6	8
	Paid judges' clerk's fee - - - -	0	5	0
	Paid filing affidavit - - - -	0	1	0
20.	Attending in the Temple; conferring with special pleader as to the expediency of renewing the application to the court, when he agreed with us that, at all events, it would be better to postpone it until after the issue had been joined -	0	6	8
	Writing plaintiffs' attorneys accordingly thereon and attending - - - -	0	5	0
	Term fee - - - -	1	0	0

*Trinity Term.*

Instructions for pleas - - - -	0	6	8
Drawing same, folios 34 - - - -	1	14	0
Fee to special pleader to peruse and settle same -	2	4	6

	Attending him therewith and thereon - - -	£	s.	d.
	Plaintiffs' attorneys having informed us that the bills might be inspected at their office, attending them thereon and arranging for inspection thereof to-morrow - - -	0	6	8
	Paid for summons to plead several matters—copy and service - - -	0	6	8
	Drawing and copy abstract of pleas to annex - -	0	5	0
	Copy abstract for the judge - - -	0	5	0
	Copy abstract for the judge - - -	0	1	0
May 22.	Attending at Messrs. Tatham & Co.'s, in Austin Friars, inspecting the bills of exchange, and making copies thereof and of the endorsements	0	13	4
	Attending you afterwards thereon; conferring, and particularly as to the time when the bills appeared to have been presented (October, 1847) and you stated that you were then at Washington, but believed you had not received notice of the refusal of the government secretary to accept	0	6	8
	Attending summons to plead several matters—order made - - -	0	6	8
	Paid for order - - -	0	3	0
	Attending to draw up rule to plead several matters	0	3	4
	Paid for same - - -	0	5	0
	Copy service on plaintiffs' attorneys - - -	0	5	0
	Engrossing pleas for delivery, folios 34 - - -	0	11	4
	Attending counsel to sign same - - -	0	3	4
	Paid his fee - - -	0	10	6
	Having received the pleader's opinion, perusing and considering same - - -	0	6	8
	Making a copy thereof for use - - -	0	5	0
June 4.	Plaintiffs' attorneys having delivered issue and notice of trial, drawing instructions to special pleader to advise as to demurrer to the replication - - -	0	5	0
	Attending him therewith and thereon, when he expressed his opinion that the replication was demurrable but under all circumstances he could not advise the defendant to demur, as he thought it might be attended with risk - -	0	6	8
	Paid his fee - - -	0	10	6
10.	Attending you reading through the pleas, Mr. Edye's opinion, and other matters, and arranging and advising generally on the case, and it was decided to have a special jury; long conference as to the necessary evidence to be produced for the defence, when, as the witnesses were at California and Washington, it became necessary to apply for commissions for their examination there, and it was at length decided that as you were about to proceed to Washing-			

ton to endeavor to get all claims in respect to California settled by the American government, that to save the great expenses which would be incurred by the proposed commission, an application should be made to the plaintiffs' attorneys to allow the cause to stand over until your return in three months, in hopes that arrangements might be made with the American government in the meantime for paying the bills in question, and we were to prepare a special letter to plaintiffs' attorneys on the subject, which we were first to submit to you for approval		£	s.	d.
Drawing and engrossing affidavit in support of application for special jury and attending to be sworn - - - - -		0	13	4
Paid oath - - - - -		0	6	0
Instructions to counsel to move for special jury -		0	1	6
Paid his fee - - - - -		0	2	6
Attending him and court - - - - -		0	10	6
Attending to drawing up rule - - - - -		0	3	4
Paid rule - - - - -		0	3	4
Attending to appointment to nominate - -		0	5	0
Copy and service of rule on plaintiffs' attorneys		0	3	4
The like on the under sheriff - - - - -		0	5	0
Paid his fee - - - - -		0	5	0
Attending to make cause as a special jury, but found the plaintiffs had not set the case down for trial - - - - -		2	2	0
Instructions for affidavit in support of application for commission for examination of witnesses -		0	3	4
Drawing same, folios 14 - - - - -		0	6	8
June 12. Attending you, conferring, reading over, and settling the draft affidavit - - - - -		0	14	0
14. Writing you with an appointment for swearing the affidavit at the judges' chambers - -		0	6	8
Attending nomination of special jury - -		0	5	0
Paid master's fee - - - - -		0	13	4
Making copy special jury list - - - - -		1	1	0
Engrossing affidavit for commission - -		0	5	0
Attending you reading over the engrossment, and afterwards to the judges' chambers to be sworn - - - - -		0	4	8
Paid oath - - - - -		0	6	8
Paid cab hire with you - - - - -		0	2	0
Paid for summons for commissions, copy and service on plaintiffs' attorneys - - - - -		0	2	0
Making copy your affidavit for them - -		0	5	0
15. Attending summons for commission, when order made by Mr. Baron Parke - - - - -		0	4	8
Paid for order copy, and service on plaintiffs' attorneys - - - - -		0	6	8
		0	7	0

June 17.	Writing special letter to the plaintiffs' attorneys (as arranged with you,) proposing the postponement of the cause until you return from America, and fair copy thereof for your perusal - - - - -	£ 8. 6. 8
	Writing to you therewith and thereon - - - - -	0 5 0
	Attending you on your bringing the copy proposed letter, long discussion thereon, and which was finally settled and approved of by you - - - - -	0 6 8
	Making fair copy thereof for our signature, and clerk's attendance on Messrs. Tatham & Co. therewith - - - - -	0 6 8
22.	Plaintiffs' having written to us declining to consent to the proposed postponement unless we would withdraw certain pleas which we did not consider it right to do, attending you informing you thereof - - - - -	0 6 8
	Instructions for commission for examination of witnesses at San Francisco - - - - -	0 6 8
	Drawing same, folios 21 - - - - -	1 1 0
	Fair copy thereof for perusal of plaintiffs' attorneys - - - - -	0 7 0
	Instructions for commission for examination of witnesses at Washington - - - - -	0 6 8
	Drawing same, folios 24 - - - - -	1 4 0
	Fair copy thereof for perusal of plaintiffs' attorneys - - - - -	0 8 0
	Instructions for commission for examination of witnesses at Pennsylvania - - - - -	0 6 8
	Drawing same, folios 19 - - - - -	0 19 0
	Making copy thereof for perusal of plaintiffs' attorneys - - - - -	0 6 4
	Drawing special form of summons for settling the terms of the commission, folios 8 - - - - -	0 8 0
	Fair copy for approval of plaintiffs' attorney - - - - -	0 2 8
	Writing plaintiffs' attorneys with the several drafts for perusal, and attending them therewith - - - - -	0 6 8
	Instructions for interrogatories for examination of witnesses - - - - -	0 6 8
23.	Drawing same, folios 24 - - - - -	1 4 0
	Instructions to Mr. Edye to settle same - - - - -	0 6 8
	Making copy order for commission for his use - - - - -	0 2 0
	Attending him therewith and thereon - - - - -	0 6 8
	Paid his fee to settle interrogatories and gave his clerk - - - - -	2 4 6
25.	Attending plaintiffs' attorney to ascertain if they approved of the commission and proposed order, when they informed us they had not had an opportunity of looking at it yet - - - - -	0 0 0
July 3.	Not having heard from plaintiffs' attorneys on the subject of the proposed commissions, writing	

	them thereon, and that we should be ready to exchange interrogatories, and requesting to know whether they proposed to join in the commissions and examine witnesses for the plaintiffs - - - - -	£	s.	d.
		0	5	0
July 9.	Writing them thereon, and requesting an appointment to exchange interrogatories -	0	3	6
	Mr. Edye having settled the draft, interrogatories making fair copy for use - - - - -	0	8	0
10.	Making another copy thereof for your perusal -	0	8	0
	Writing you therewith and thereon (at Paris) -	0	5	0
12.	Writing again to the plaintiffs' attorneys on the subject of their delay in returning the draft commissions, and that you ought not to be prejudiced thereby, the time limited for the examination of the witnesses running on, and that the same ought to be extended, and at the same time sending them the names of the commissioners before whom it was proposed to execute the several commissions - - - - -	0	5	0
16.	Having received letter from you upon the subject of the proposed interrogatories, with suggestions for further questions upon special points, perusing and considering same, and drawing and copy instructions to special pleader to advise thereon - - - - -	0	10	0
	Paid his fee therewith - - - - -	0	10	6
19.	Attending him therewith and thereon, when he expressed his opinion that the several points mentioned by you would be brought out by the interrogatories as already prepared, and thought any amendment unadvisable - - - - -	0	6	8
	Attending Mr. Peabody (one of your bail) at your request, explaining to him the state of the cause, and of your purposed return to America, when he expressed himself perfectly satisfied with any course you might think proper to adopt - - - - -	0	6	8
	Writing to you thereon and as to the probability of the time of trial of this action - - -	0	5	0
	You having desired to be furnished with some formal document which you might place before the American government on your return home, showing the nature of these proceedings against you in reference to the bills drawn by you as governor of California—collecting instructions for affidavit to be sworn before the lord mayor - - - - -	0	6	8
	Drawing same, folios 10 - - - - -	0	10	0
	Engrossing same - - - - -	0	3	4
21.	Attending at the Mansion house to be sworn thereto - - - - -	0	6	8

UNIVERSITY OF OKLAHOMA  
LIBRARY.



	Paid oath	-	-	-	-	-	£ s.
	Attending at the United States consulate to get the seal affixed, verifying the signature of the alderman before whom the affidavit was sworn, and afterwards for affidavit with seal affixed	-	-	-	-	-	0 1
	Paid consul's fee	-	-	-	-	-	0 6
	Writing to you therewith and thereon	-	-	-	-	-	0 10
Aug. 23.	Messrs. Tatham & Co. having at length returned the draft commissions and informed us they intended not to join therein, but to send out a separate commission to Washington, only a draft of which they sent. Writing to them in reply and as to inspection and admission of documents under the usual notice	-	-	-	-	-	0 5
	Perusing the draft of plaintiff's commission	-	-	-	-	-	0 6
	Making a copy thereof to keep, folios 21	-	-	-	-	-	0 7
	Writing and attending returning the same approved	-	-	-	-	-	0 6
24.	Making copy of the draft interrogatories to exchange with the plaintiffs' attorneys, folios 24	-	-	-	-	-	0 8
Sept. 7.	Writing to Messrs. Tatham & Co. thereon, and attending to exchange the same for a copy of the plaintiffs' interrogatories under the commission	-	-	-	-	-	0 6
	Fee to counsel to sign defendant's interrogatories in chief	-	-	-	-	-	0 10
	Attending him	-	-	-	-	-	0 3
	Attending plaintiffs' attorney, inspecting the several bills and protests under their usual notice, and making a note of the contents of the protests with the view of the sufficiency of the presentments for acceptance	-	-	-	-	-	0 6
	Attending summons calling upon us to admit the several bills and documents, which we declined doing at present, and the judge made the usual order for costs	-	-	-	-	-	0 6
	Attending summons for liberty for plaintiffs to issue their commission for the examination of witnesses, when order made	-	-	-	-	-	0 6
	Writing plaintiffs' attorneys on the subject of alterations which they had made to the drafts of our three commissions, and requesting their reconsideration of the drafts, and attending them thereon and with the drafts for reperusal	-	-	-	-	-	0 6
	Instructions for cross interrogatories for examination of plaintiffs' witnesses	-	-	-	-	-	0 6
	Drawing same, folios 6	-	-	-	-	-	0 10
9.	Fee to special pleader to peruse and settle same	-	-	-	-	-	
	Writing to you fully as to the protests and other documents produced by Messrs. Tatham & Co.,	-	-	-	-	-	

	and suggesting that you should endeavor to procure copies of the protests from the notary at Washington	£	s.	d.
	- - - -	0	5	0
	Drawing instructions to the commissions for their guidance upon the examination of witnesses there, folios 47	0	2	7
	Several attendances upon plaintiffs' attorneys as to the alterations made by them to the draft commissions, and finally settling the same, as also the commission sent out by the plaintiffs	0	6	8
Sept. 16.	The special pleader having returned draft cross interrogatories, settled, making a fair copy thereof for use, folios 6	0	2	0
	Making another copy thereof for the plaintiffs' attorneys	0	2	0
	Writing them thereon, and that we were ready to exchange same for their cross interrogatories	0	3	6
	Fee to counsel to sign same	0	10	6
	Attending him	0	3	4
17.	Attending appointment with Messrs. Tatham & Co., and delivered them copy on cross interrogatories in exchange for theirs	0	6	8
	Plaintiffs' attorneys having written to us that they could not name commissioners at Pennsylvania under their commission, but wished our commissioners to act for the plaintiffs also, going through the drafts of the several commissions to make the necessary alterations therein to meet the altered state of things, and attending the plaintiffs' attorneys thereon	0	6	8
	Engrossing commission for examination of witnesses at Washington, folios 24	0	12	0
	Paid for parchment	0	4	0
	Engrossing commission for examination of witnesses at San Francisco, folios 21	0	10	6
	Paid for parchment	0	4	0
	Engrossing commission for examination of witnesses at Pennsylvania, folios 19	0	9	6
	Paid for parchment	0	4	0
	Engrossing three parts of the interrogatories on behalf of the defendant, folios 24 each	1	4	0
	Engrossing cross interrogatories on behalf of the defendant for Washington, folios 6	0	2	0
	Making three copies of the cross interrogatories on behalf of plaintiffs, folios 6 each	0	6	0
	Making one copy of the interrogatories in chief on behalf of the plaintiff at Washington, folios 17	0	5	8
	Making copy of the interrogatories for the commissioners at Washington, folios 47	0	15	8
	The like copy for the commissioners at San Francisco, folios 47	0	15	8

The like for the commissioners at Pennsylvania,	£ 8. 0.
folios 40 - - - - -	0 13 4
Making three copies of same of the defendant's	
pleas to accompany the instructions to each set	
of commissioners, folios 12 each - - -	0 9 0
Making three copies of the four several bills of	
exchange upon which the action was brought,	
for the same purpose, equal to 48 folios -	0 16 0
Sept. 18. Having received a letter from you, with an ex-	
tract from one you had received from America,	
suggesting that a copy of papers should be sent	
out to America, showing the proceedings taken	
against you in this action, writing you long	
letter in reply and that we would have a copy	
of the pleadings made for the purpose, and sug-	
gesting that that and the affidavit which we	
sent you in July last might answer the pur-	
pose, and requesting further instructions from	
you on the subject - - - - -	0 5 0
Making copy of the pleadings accordingly, folios 52	0 17 4
21. Having received your reply, with an introductory	
letter to the Hon. Col. Benton, to whom you	
wished us to write and forward the affidavit	
prepared by us in July last, which you had	
then intended taking with you to America if	
you had gone there. Writing long and ex-	
planatory letter to Mr. Benton accordingly, and	
enclosing the affidavit in question - - -	0 6 8
Paid postage thereof - - - - -	0 2 0
22. Writing you thereon, detailing what we had	
done, and the state of the proceedings, and re-	
questing to know to whom the several commis-	
sions should be sent at Washington, San Fran-	
cisco, and Pennsylvania - - - - -	0 5 0
Making a copy of our letter to Mr. Benton, to ac-	
company same - - - - -	0 3 0
Drawing notice to produce before the several com-	
missioners the bills of exchange, copy, and	
service thereof on the plaintiffs' attorneys -	0 6 0
Several attendances upon plaintiffs' attorneys for	
the purpose of settling the names of the several	
commissioners, and the mode in which they	
should execute their duties and return the com-	
missions, but without effect - - - - -	0 6 0
29. Attending judges' chambers to obtain very special	
summons for the above purpose, and (in con-	
sequence of the delay which had taken place	
since the order of Mr. Baron Parke was made	
on the 15th June) to extend the return of the	
several commissions till the 1st February next	0 6 0
Paid for summons - - - - -	0 2 0
Copy and service on plaintiffs' attorneys -	0 7 0

		£	s.	d.
Sept.	30. Attending summons, when by consent the same was adjourned till Tuesday next - - -	0	3	4
Oct.	5. Attending summons, plaintiffs' attorneys did not attend - - - - -	0	6	8
	Paid second summons, copy and service - - -	0	7	0
	Attending same afterwards, when order made - -	0	6	8
	Attending summons taken out by plaintiffs, for commission at Pennsylvania, for examination of their own witnesses, when order made - -	0	6	8
	6. Attending plaintiffs' attorneys with reference to the headings to their interrogatories and cross interrogatories, and making the necessary alterations occasioned by their sending out a separate commission, and not naming commissioners at Pennsylvania - - - - -	0	6	8
	7. Attending to draw up order settling terms of commission, signed, and copy thereof for judge's signature - - - - -	0	6	8
	Paid fee for same thereon - - - - -	0	2	0
	Copy thereof, and service on plaintiffs' attorneys - -	0	7	0
	Writing plaintiffs' attorneys, suggesting that in order to save expense one of the commissioners only upon each side should execute the writs - -	0	5	0
	Attending issuing the three commissions - -	0	10	0
	Paid filing copy order for commission to issue - -	0	1	0
	Making copy for that purpose - - - - -	0	2	0
	Paid, issuing the commissions - - - - -	0	15	0
29.	Writing to Col. Benton, with Washington commission, and the several papers and long letter thereon - - - - -	0	6	8
	Writing to Mr. W. Carey Jones, with San Francisco commission, and papers and long letter thereon - - - - -	0	6	8
	Writing to Mr. M'Call, with Philadelphia commission, and papers and long letter thereon - -	0	6	8
	Attending at the post office posting the several commissions - - - - -	0	6	8
	Paid postage of the Washington commission - -	0	8	0
	The like of the Philadelphia commission - -	0	8	0
	The like of the California commission - -	0	7	3
	Term fee, &c. - - - - -	1	0	0

*Michaelmas Term, 1852.*

Nov.	11. Having received a letter from Col. Benton on the subject of the proceedings of Congress respecting the bills, the subject of this action, making copy thereof, and writing to you therewith and thereon - - - - -	0	6	8
	12. Writing to Colonel Benton in reply to his letter, in duplicate, one to Missouri and one to Washington - - - - -	0	7	6

	Making copy of our letter of October 29 to accompany same	£ s. d. 0 2 6
Dec. 27.	Having received letter from Mr. McCall advising the transmission of the deposition under the commission, and also a letter from Colonel Benton, making copies thereof and writing you thereon and therewith	0 6 8
30.	The time for return of the three commissions having nearly expired, paid for summons to extend the time, copy and service on plaintiffs' attorneys	0 5 0
31.	Attending at the judges' chambers to ascertain if the Philadelphia commission had arrived, and found it had	0 6 8
	Paid the judges' clerk postage thereof	0 10 0
	Paid filing same	0 2 0
	Drawing notice to plaintiffs' attorneys of the arrival of the commission, and afterwards attending arranging for opening of the packet at the judges' chambers	0 6 8
	Writing to Mr. McCall acknowledging the safe arrival of his commission	0 5 0
	Attending summons to extend the time for the other commissions, but plaintiffs' attorneys did not	0 3 4
	Second summons, copy and service	0 5 0
1853.		
Jan. 1.	Attending appointment at judges' chambers and met plaintiffs' attorneys and opened the commission which had been returned from Pennsylvania and bespeaking copy	0 6 8
	Attending summons when plaintiffs' attorneys offered to consent to the time being extended till February 1, but upon terms to which we did not think we could accede, and arranging to attend the judge on Monday next	0 3 4
	Attending summons accordingly when order made	0 6 8
	Paid order	0 2 0
	Copy and service	0 3 4
12.	Plaintiffs' attorneys having given notice that their Washington commission had arrived, with an appointment to attend at judges' chambers to open same, and attending appointment accordingly	0 6 8
	Attending plaintiffs' attorneys proposing and arranging that one copy of their depositions under the Washington commission should be taken at the joint expense of plaintiffs and defendant	0 6 8
17.	Attending at judges' chambers examining copy commission and evidence of the Honorable	

	£	s.	d.
Mr. Buchanan under defendant's Philadelphia commission - - - - -	0	6	8
Paid for same - - - - -	2	7	6
21. Messrs. Tatham & Co., having handed us copy of their depositions, attending comparing same with office copy - - - - -	0	13	4
Paid them moiety of charges of judges' clerk - - - - -	3	5	5
29. The other two commissions not having been returned, paid summons to extend the time, copy and service on plaintiffs' attorneys - - - - -	0	5	0
Attending summons when order made for extension to the first day of Easter term, the plaintiff being at liberty to change the venue to Middlesex - - - - -	0	6	8
Paid for order copy and service - - - - -	0	5	0
Feb. 8. Plaintiffs' attorneys having written that they had received a print of a bill passed by the United States Senate, authorizing the liquidation of this claim, and requesting to know whether we authorized to consent to a judgment, writing them a long explanatory letter in reply, declining to give such consent - - - - -	0	5	0
They having written to us again on the subject, and sent us a copy of the bill, making a copy of such letter and bill - - - - -	0	5	0
10. Writing to you therewith and thereon - - - - -	0	5	0
11. Messrs. Tatham & Co. having written to us again, pressing for an answer, reperusing the bill, and writing them in reply that we could not consent to a judgment - - - - -	0	5	0
Writing very fully to you again, explaining our views, and urging your writing to Washington on the subject - - - - -	0	5	0
16. Attending Mr. Johnston of the firm of Tatham and Co. on his again urging us to consent to a judgment, long discussion thereon, in the course of which he proposed in that case to pay your costs, on your assigning over the amount, in order that they might be reimbursed the amount, with the debt, and their own costs by the United States government, and upon which we promised to communicate with Colonel Benton - - - - -	0	6	8
Writing to Messrs. Tatham & Co., afterwards in further reference to our interview this morning, and requesting to be informed, in the event of the judgment being consented to, what amount the plaintiffs claimed for principal, interest, and costs - - - - -	0	5	0
17. Writing to Colonel Benton, in reply to his letter, and with reference to the payment of the debt and costs, as provided for by the act of Congress - - - - -	0	5	0

	Messrs. Tatham having written in reply to our last inquiry, writing them again, requesting further information, especially as to the rate of interest they claimed	£ s. d. 0 5 0
March 2.	Having received a further letter, received from Colonel Benton, as to the effect of the act as passed, attending Mr. Peabody, conferring thereon, and receiving his explanation, and upon which we deemed it prudent to write to you immediately	0 6 8
	Making copy of Colonel Benton's letter for you, and writing to you therewith and thereon	0 6 8
25.	Having received a letter from Messrs. Tatham & Co., stating difficulties which had arisen in the United States, in consequence of a payment alleged to have been made of \$14,000 to you, which required explanation, making copy of such letter, writing to you therewith and thereon	0 6 8
26.	Attending you on your arrival in London, conferring upon the correspondence which had taken place, discussing the situation of the matter generally, when you agreed with us that if the plaintiffs' attorneys pressed the matter at this time, we had no alternative but to let the trial go on	0 13
29.	Having received another letter from plaintiffs' solicitors, writing to them in reply, especially as to the \$14,000	0 5
	Writing fully to Colonel Benton, in reply to his of the 8th	0 5
	Making copy correspondence between ourselves and Messrs. Tatham & Co. to accompany	0 3 0
April 2.	Plaintiffs' attorneys having written us again, and requested to know whether we would withdraw pleas, writing them in reply that in the absence of instructions from America the case must go to trial, although it appears to us under the present circumstances, that the case had better stand over until further information arrived	0 5 0
9.	The plaintiffs' attorneys having declined to consent to allow the case to stand over, paid for summons for further time to receive the California commissions, copy and service on plaintiffs' attorneys	0 5
11.	Attending the same when plaintiffs' attorneys request the same, was adjourned till Wednesday, they intimating that they should then attend by counsel	0 3
	In consequence of this intimation drawing affidavit in support of our application for an extension of time, folios 27	0 1



					£.	s.	d.
	Engrossing same	-	-	-	0	9	0
	Paid oath	-	-	-	0	1	0
	Making copy for plaintiffs' attorneys	-	-	-	0	9	0
April 12.	Attending plaintiffs' attorneys therewith and arranging for attending the summons at 12 to-morrow	-	-	-	0	3	4
13.	Attending summons before Mr. Baron Alderson, when Mr. Willes attended as counsel for plaintiffs' and his lordship refused to make any order, suggesting that application should be made to the court	-	-	-	0	6	8
	Paid filing affidavit	-	-	-	0	1	0
14.	Plaintiffs' attorneys having given notice of trial for the second sitting in this term in Middlesex, into which county they had changed the venue, paid for summons to postpone trial, copy and service	-	-	-	0	5	0
	Drawing affidavit in support, folios 6	-	-	-	0	6	0
	Engrossing same	-	-	-	0	2	0
	Paid oath	-	-	-	0	1	0
	Attending summons, when Mr. Baron Alderson ordered the trial to be postponed to the third sitting in this term	-	-	-	0	6	8
	Paid for order, copy and service on plaintiffs' attorneys	-	-	-	0	5	0
	Term fee	-	-	-	1	0	0

*Easter Term, 1853.*

16.	Writing to you very fully upon this case and explaining that it would be necessary to be prepared for trial on the 2d May next, and requesting instructions as to course to be pursued	0	5	0
	Attending searching if plaintiffs' attorneys had set down for trial for 3d sitting, and found they had	0	3	4
	Paid for summons for leave to try the cause by a special jury, copy and service	0	5	0
	Drawing and engrossing affidavit of Mr. Buchanan's being out of jurisdiction to make his depositions admissable on the trial	0	6	0
20.	Attending you on your arrival in London, conferring generally on the case and on the present state of the same, and finally arranging that we should leave it entirely in the hands of counsel to take or not take any technical objection, regard being had to the position you stood in to the United States government	0	13	4
20.	Attending summons for special jury, when same adjourned, as Mr. Baron Alderson was not at Chambers	0	3	
Ex. Doc. 109	8			

April 22. Attending same, when, notwithstanding the same was opposed by plaintiffs' counsel, Mr. Baron	£	s.	d.
Plat made the order - - - - -	0	6	8
Paid for order - - - - -	0	2	0
Attending to draw up rule for special jury - - - - -	0	3	4
Paid for rule and filing order - - - - -	0	6	0
Paid counsel to move - - - - -	0	10	6
Attending him - - - - -	0	3	4
Copy and service of order on plaintiffs' attorney - - - - -	0	3	0
Copy and service on associate - - - - -	0	3	0
Copy and service of rule on the under sheriff - - - - -	0	5	0
Paid his fee - - - - -	0	2	0
Attending for appointment to nominate - - - - -	0	3	4
Copy and service of rule and appointment on plaintiffs' attorney - - - - -	0	6	0
Attending nomination of jurors at the sheriff's office in Red Lion Square - - - - -	0	13	4
Making copy list - - - - -	0	5	0
Attending to mark cause as a special jury cause - - - - -	0	3	4
Instructions to reduce special jury list - - - - -	0	13	4
Attending for appointment to reduce - - - - -	0	3	4
Copy and service on plaintiffs' attorneys - - - - -	0	4	0
Attending reducing - - - - -	0	13	4
Copy list as reduced - - - - -	0	2	0
Drawing notice to produce the bills of exchange and other documents, and copy and service on plaintiffs' attorneys - - - - -	0	7	0
Perusing the several papers and documents and taking instructions for brief - - - - -	0	5	0
Drawing same, 29 sheets - - - - -	9	13	4
Three fair copies thereof for counsel, 40 sheets each - - - - -	20	0	0
The like of the act passed by Congress - - - - -	0	10	0
The like of the depositions under the Pennsylvania commission, 12 sheets each - - - - -	6	0	0
The like of the depositions of plaintiffs' witnesses, 19 sheets each - - - - -	9	10	0
The like of the notices to produce of plaintiffs and defendant - - - - -	1	10	0
Attending sheriff, giving him instructions to summon the special jury - - - - -	0	6	0
Paid his fees summoning jury - - - - -	4	14	0
Making copy list of the 24 jurors to be summoned for sheriff's use - - - - -	0	2	0
Two spar duces secum - - - - -	0	18	0
Two copies for service - - - - -	0	2	0
Attending plaintiffs' attorneys on their calling to propose mutual admissions as to service of notice to produce before commissioners, and arranging same accordingly - - - - -	0	6	0

		£	s.	d.
	Service of subpoena on Mr. Sanders, the judge's clerk, to produce the commissions, &c.	0	5	0
	Paid him therewith	1	0	0
	Drawing further observations and proof, 3 sheets	1	0	0
	Making three copies thereof for counsel	1	10	0
	Writing to you as to the coming trial	0	5	0
April 29.	Attending Sir F. Thesiger with his brief and papers	0	6	8
	Paid his fee and gave his clerk	44	2	0
	Attending Mr. Bovill with his brief and papers	0	6	8
	Paid his fee and clerk	27	10	0
	Attending Mr. Aspland with brief and papers	0	6	8
	Paid his fee and clerk	16	10	0
	Attending counsel severally to appoint consultation	0	13	4
	Making copies of the several letters referred to for use of the judge, folios 12	0	4	0
	The California commission not having yet arrived, it became expedient to consider the renewal of the application to postpone the trial before the judge appointed to try the cause, accordingly engrossing the two affidavits used on the former occasions together, folios 33	0	11	0
	Making brief copies thereof for counsel	0	11	0
	Attending at sheriff's office this day by request for special jurors' panel, received same and afterwards attending at associates annexing the same to the record	0	6	8
1853.		302	2	10
April 30.	Attending at Sir F. Thesiger's to have had the consultation, when it appeared that he was detained in a case at Strafford and would not attend, and the consultation was consequently deferred until Monday morning	0	6	8
	Attending Messrs. Gurney, the short-hand writers, to request them to attend, to take notes of the trial	0	6	8
May —.	Attending at Westminster, when consultation was had, and counsel advised that under the existing circumstances the application to postpone the trial should not now be made	0	13	4
	Paid use of room	0	5	0
	Paid Sir F. Thesiger and clerk consultation fee	3	10	6
	The like to Mr. Bovill and clerk	2	4	6
	The like to Mr. Aspland and clerk	1	3	6
	Attending court all day, but the cause was not called on for trial	1	1	0
3.	Attending court when cause called on, and Mr. Baron Alderson, at the request of counsel, or-			

	dered the case to stand over until Friday morning	£ 1
May 6.	Attending court when cause tried and verdict for plaintiffs for £3,988 12s. 9d., with interest at 6 per cent., the rate given at Washington, leave being reserved to plaintiffs to move to increase the rate of interest to 25 per cent., the average rate found by the jury to be given at California—self and clerk	2 2
	Paid jurors	12 12
	Paid court fees	0 15
	Paid cab hire with papers on the several days	0 2
	Writing fully to Colonel Benton of the result	0 5
	The like to Mr. Peabody, one of the bail	0 5
	The like to you	0 5
9.	The plaintiffs having obtained a rule nisi to increase damages attending short-hand writer, requesting him to send us a note of what took place on the occasion	0 6
11.	Attending you on your arrival in London, conferring and explaining fully all that had passed respecting the trial, (our letter not having reached you,) and also the effect of the rule nisi obtained by the plaintiffs	0 13
	Having obtained notes, perusing and considering the same	0 6
	Attending at the rule office to bespeak office copy rule, and to search if any affidavits filed by the plaintiffs	0 8
	Paid for office copy rule	0 1
	Drawing brief for counsel, to show cause against rule, 6 sheets	2 0
	Three fair copies thereof	3 0
	The like of the rule to annex	0 6
	The like of the short-hand notes of the trial, 28 sheets each	14 0
	The like of the short-hand notes of the motion for the rule, 6 sheets each	3 0
	Attending Sir F. Thesiger with brief and papers	0 6
	Paid his fee and clerk	11 8
	Attending Mr. Bovill with his brief and papers	0 6
	Paid his fee and clerk	7 12
	Attending Mr. Aspland with brief and papers	0 4
	Paid his fee and clerk	5 10
	Several attendances at the rule office to search how the rule stood, from time to time, to avoid attendance in court	0 4
31.	Attending at Westminster this day, when the court were engaged upon the new trial paper, but this did not come on	0 13

June	2. Attending at Westminster all day, when the case immediately preceding this was partly argued, and to be resumed to-morrow - - -	£	s.	d.
		0	13	4
	Attending Sir Frederick Thesiger and the other counsel, apprizing them of the great probability of this rule being argued to-morrow, and urging their attendance - - -	0	6	8
	3. Attending at Westminster all day, when this case was called on, but, in the absence of counsel on both sides, it was postponed - - -	0	13	4
		<hr/>		
		381	4	2
1853.				
June	4. Attending at Westminster this day, when the court arranged to take this case on Monday next - - -	0	6	8
	6. Attending court when rule called on and fully argued, and the judges took time to consider their judgment—self and clerk - - -	1	1	0
	7. The court having intimated their intention of giving judgment to-morrow, attending the Messrs. Gurney, the short-hand writers, instructing them to take notes - - -	0	6	8
	8. Attending at Westminster this day, when the court intimated that the rule would be made absolute, thereby increasing the interest by 19 per cent. on the authority of a case decided by the privy council, and promised to deliver a formal judgment either on Monday next or on the 6th July - - -	0	13	4
	10. Writing you apprising you of this result - - -	0	5	0
	Having learnt that the court had this morning ordered the rule to be issued at once, without waiting for the formal judgment being delivered, attending short-hand writers thereon to to ascertain the particulars of what had taken place - - -	0	6	8
	Afterwards attending at Westminster to consult with counsel as to the best steps to be taken to reserve, if possible, your right to have the case carried to the House of Lords, but counsel being engaged in other matters, and Monday next being the last day of term, we considered it advisable to instruct counsel to apply to the court on that day for liberty to tender a bill of exceptions to ground an appeal to the House of Lords, if such a course should hereafter be considered desirable - - -	0	13	4
	Collecting instructions for brief and drawing same, one sheet - - -	0	6	8
	Three fair copies for counsel - - -	0	10	0

	Paid Sir F. Thesiger with brief and clerk	£ 5 10
	Attending him therewith and other papers	0 6 8
	Paid Mr. Bovill with brief and clerk	3 5 8
	Attending him therewith, and other papers	0 6 8
	Paid Mr. Aspland with brief and clerk	2 4 8
	Attending him therewith, and other papers	0 6 8
June 13.	Attending court when the application was made, but the court declined to grant the permission asked for	1 1 0
	Attending short-hand writers, previously instructing them to attend to take a note of what passed	0 6 8
	Paid Short-hand writer for attendances and transcripts of the trial, and several subsequent applications	13 0 0
14.	Writing you fully on what had taken place, and of the result of our application to the court yesterday	0 5 0
	Making copy of the short-hand notes of the several proceedings on 9th May, and 8th and 13th June, to send to you, together 48 folios	0 16 8
	Attendances taxing the plaintiffs' costs	1 11 8
	Writing you, with the result and the particulars of the amount of debt and costs	0 5 0
	Term fee	1 0 0
	For many extra attendances, perusing various documents, foreign and other postages, and other incidental expenses during the proceedings not specifically charged	5 5 0
		<u>£421 4 0</u>

£421 4s. 0d.

JANUARY 13, 1855.

Allowed by the Secretary of the Treasury, under the provision of the act of 3d March, 1853, (vol. 10, p. 759,) to be remitted to Colonel Frémont, at New York.

P. G. WASHINGTON.

E. J. H. & J. LAWFORD,  
Draper's Hall.

LONDON, June 11, 1855.

I acknowledge that my late firm of E. J. H. & J. Lawford, on the 8th November, 1854, received from Colonel J. C. Frémont the sum of four hundred and twenty-one pounds four shillings, the amount of the above bill of costs.

H. S. LAWFORD.

£421 4s. 0d.

*Colonel J. C. Frémont to E. J. H. & J. Lawford.*

## YOURSELF AT THE SUIT OF GIBBS AND OTHERS.

Further charges in reference to Messrs. Gibbs' action for matters done since the date of the former account, and on the final settlement.  
1853.

June 17.	Messrs. Gibbs' attorneys having served the rule absolute to increase the damages by adding interest at the rate of 10 per cent.; together 25 per cent., making copy rule to send to you	-	-	£	s.	d.
	Writing you therewith and thereon	-	-	0	2	6
	Having received letter from Messrs. Gibbs' attorneys, asking for payment of the amount recovered by the verdict, making copy thereof, and writing you therewith and thereon	-	-	0	5	0
	Writing Messrs. Gibbs' attorneys at length in reply to their letter, and messenger attending them therewith	-	-	0	6	8
	Drawing out statement to send to Mr. George Peabody, as one of your bail, informing him of the result of the action, and explaining, at great length, his and Mr. Gooch's position as your sureties, and fair copy	-	-	0	5	0
27.	Writing Messrs. Gibbs' attorneys again in reference to the anticipated settlement of the matter by the United States government in virtue of the act of Congress	-	-	0	10	0
July 5.	The court of exchequer having intimated that it would give a final judgment, with reasons for increasing the interest, attending short-hand writer, requesting him to take a note of the judgment	-	-	0	5	0
6.	Attending at Westminster when Mr. Baron Alderson read the written judgment of the four judges	-	-	0	6	8
	Plaintiffs' attorneys having written that they had issued a writ of execution against you with a view to enable Messrs. Gibbs to take proceedings against your bail, and desiring to know whether those gentlemen were prepared to discharge their obligation; writing Messrs. Tatham in reply, and attending them with the letter	-	-	1	1	0
	Writing Mr. George Peabody in reference to Tatham's letter, and explaining that, in our view, he and Mr. Gooch could not be successfully called upon to pay the amount for which they had become bail, until after the 2d November next, and enclosing copy of Messrs. Tatham's letter	-	-	0	5	0



July 5.	Paid for the short-hand writer's notes of the judgment, to increase the damages, and for transcript - - - - -	£ s. d. 1 6 8
	Messrs. Peabody & Co. having forwarded us a letter they had received from Messrs. Gibbs' attorneys, upon the subject of their liability as your bail, and giving us instructions to reply thereto, perusing same, and afterwards writing Messrs. Tatham accordingly - - - - -	0 6 8
	Writing Messrs. Peabody & Co., stating what had been done, and inclosing copy of such reply to Messrs. Tatham - - - - -	0 5 0
	Making copy short-hand notes of the judgment, on the 6th, for you, folio 10 - - - - -	0 3 4
	Writing you therewith and thereon - - - - -	0 5 0
11.	Attending at the sheriff's office searching if the writ of execution, which Messrs. Gibbs' attorneys wrote us had been issued against you, had been regularly returned and filed, when it appeared that there was an irregularity, as the writ was made returnable immediately, instead of on the 2d November - - - - -	0 0 0
	Paid for searching - - - - -	0 0 0
	Attending Mr. Peabody with an extract from a letter received yesterday from you, dated Washington, June 27, and messenger attending with letter - - - - -	0 5 0
12.	Writing to you in reply to your letter of the 27th instant - - - - -	0 5 0
21.	Having received two letters from you, of the 3d and 9th instants, apprizing us of the steps which had been taken by the United States government for the payment of the judgment, writing to Messrs. Peabody thereon, and attending them with letter - - - - -	0 5 0
22.	Writing to you thereon and in reply to your two letters - - - - -	0 5 0
25.	Having received a letter from you, enclosing one from the under secretary of the United States treasury, apprizing you that authority had been sent to his excellency the American minister here, to draw on the treasury for the amount of damages, interest, and costs, attending at his excellency's, Mr. Ingersoll, in Portland Place, but, after waiting, could not obtain an interview, and was directed to write to him - - - - -	0 13 4
	Attending afterwards, in the afternoon, at Mr. Peabody's, meeting a gentleman from the embassy, on his requesting us to fix an early hour for seeing his excellency, the minister, to-mor-	

row, and arranging for that purpose at 10,	£	s.	d.
a. m. - - - - -	0	6	8

- July 26. Attending in Portland Place accordingly, conferring with his excellency a long time, when he stated that he was quite ready to pay the principal, interest, and costs, by a bill at sight on the treasury, on receiving a certificate of satisfaction of the judgment, and on the bill of exchange being delivered up - - - 0 13 4
- Writing to you informing you the result of our interview with his excellency - - - 0 5 0
- Attending Messrs. Gibbs' attorneys, apprizing them of the proposal, when they promised to write to us upon the subject - - - 0 6 8
- Having received their reply that they could not advise Messrs. Gibbs to enter satisfaction on the judgment, unless cash was paid, and having proposed that we should, on your behalf, get the minister's draft discounted, attending Messrs. Baring Brothers & Co., in Bishopsgate street, who offered to give the credit on the bill being drawn in their favor, and on their seeing his excellency's authority to draw for the amount - - - 0 13 4
- Writing to his excellency upon the subject, and making copy of Messrs. Tatham's letter for use on sending the original to him, and clerk's attendance in Portland Place therewith - 0 13 4
28. Attending his excellency this day in Portland Place, to receive his instructions conferring upon the point raised by Messrs. Tatham, when he promised to write to us his views, after having compared Messrs. Tatham's statement with the directions received from his government - 0 13 4
- Aug. 1. Attending on Mr. Henry Crouchey, the secretary to the legation, on his calling to say that his excellency, Mr. Ingersoll, was desirous of adopting the plan we had proposed, if the terms could be settled with Messrs. Gibbs' attorneys, explaining to the gentleman who called our views, and offering on your behalf to settle the commission by paying Messrs. Barings' charges when he promised to write to us - 0 6 8
2. Having received a letter from Mr. Crouchey, stating that his excellency was willing to grant another interview, as proposed by us, attending Messrs. Baring Brothers & Co., when Mr. Bates explained the mode proposed by them, under which no commission would be charged, and afterwards attending Messrs. Gibbs' attor-

	neys, in Austin Friars, to arrange for our meeting in Portland Place	£	s.	d.
		0	6	8
Aug. 3.	Attending Messrs. Baring Brothers & Co., ascertaining the amount to be drawn in dollars, and afterwards writing to Mr. Crouchey that we, with Messrs. Gibbs' attorneys, would attend his excellency in Portland Place to-morrow, and attending therewith	0	10	0
	Attending Messrs. Gibbs' attorneys, apprizing them of the hour we had arranged for the meeting, and explaining what documents would be required to be handed over by them on their receiving the amount	0	6	8
4.	Attending in Portland Place by appointment, when his excellency stated that he must restrict himself to drawing the bill in sterling moneys for the exact amount of the judgment, and that he could not draw it in dollars, and consequently the matter was postponed for further consideration	0	13	4
5.	Attending at Messrs. Barings', explaining what had taken place, and conferring on the possibility of drawing in sterling, when Mr. Bates stated that he would call on the minister to-morrow, and desired we would communicate this to him	0	6	8
	Writing accordingly, and messenger attending in Portland Place with the letter	0	6	8
10.	Attending Messrs. Tatham's clerk on his calling to make another appointment to meet at the legation, and attending Mr. Bates thereon, when he stated the minister's difficulty in drawing otherwise than in strict conformity with his order	0	6	8
11.	Attending Messrs. Gibbs' attorneys, by their request, a long while discussing the steps to be taken, when he thought it would be best to wait till his excellency had received further instructions	0	6	8
12.	Attending again in Portland Place, conferring with his excellency on the present state of the case, when he informed us that he had written to his government to remit a bill for the precise amount in sterling, so as to avoid all difficulty, and that his letter was dispatched on Wednesday last	0	13	4
	Writing to you explaining the present state of the case and with duplicate of our letter of the 5th instant	0	5	0
	Messrs. Gibbs' attorneys having learnt that Mr. Ingersoll was to be succeeded immediately			

	by the Hon. Mr. Buchanan, and having requested we would apply for a copy of the authority from the government, and likewise of the act of Congress, writing Mr. Ingersoll accordingly - - - - -	£	s.	d.
		0	5	0
Sept. —	Having received from him the required copies, writing Messrs. Tatham, and attending them therewith - - - - -	0	5	0
15.	Mr. Buchanan having arrived in London, writing to, and afterwards attending, Dr. Sickles, his secretary at the legation, to ascertain if the new minister was prepared to carry out the provision of the act of Congress, when he informed us that he had received a bill at sixty days sight on Mr. Peabody, which that gentleman was willing to discount, so that the money might be paid, fixing a meeting for Wednesday, the 21st instant, and afterwards attending Messrs. Tatham & Co. to apprise them, and attending them as to the interest and calculating same - - - - -	1	1	0
	Making copy for Mr. Buchanan, at his request, of the bill of costs which had been transmitted to America, folios 132 - - - - -	2	4	0
	Writing to Dr. Sickles therewith and attending	0	5	0
	Attending appointment at Mr. Peabody's upon the settlement of the matter, when his excellency paid in discharge of the judgment and interest thereon the sum of £9,933 7s. 9d., and Messrs. Gibbs' attorneys handed over the bills of exchange and protests, with a memorandum of satisfaction of such judgment, with consent to a judge's order to enter satisfaction upon the registry - - - - -	0	13	4
	Attending at the proper office, entering satisfaction upon the record - - - - -	0	6	8
	Paid fee thereon and certificate thereof - - - - -	0	4	0
	Attending to obtain a judge's order to enter satisfaction on the registry, and afterwards for same - - - - -	0	6	8
	Paid for order - - - - -	0	4	0
	Attending entering order upon the registry - - - - -	0	6	8
	Paid fees thereon - - - - -	0	1	0
	Letters, messengers, cab hire, and incidental expenses - - - - -	1	1	0
		<hr/> £23 2 4 <hr/>		

£23 2s 4d.

JANUARY 13, 1856.

Allowed by the Secretary of the Treasury under the act of March 3, 1853, Laws of the United States, vol. 10, p. 759; remittance to be made to New York, where Colonel Frémont now is.

P. G. WASHINGTON,

*Assistant Secretary of the Treasury*E. J. H. & J. LAWFORD, *Draper's Hall.*

£23 2s 4d.

LONDON, June 11, 1855.

I acknowledge that my late firm of E. J. H. & J. Lawford, on the 24th January, 1854, received from Colonel J. C. Frémont the sum of twenty-three pounds two shillings and four pence, the amount of the above bill of costs.

H. L. LAWFORD.

TREASURY DEPARTMENT,

*Register's Office, August 16, 1855.*

I certify the foregoing to be true copies of original papers on file in this office.

F. BIGGER, *Register.*

No. 4.

TREASURY DEPARTMENT,

*Comptroller's Office, October, 1853.*

SIR: I transmit to you the following papers:

1st. A letter from the Secretary of the Treasury, dated the 8th instant, addressed to this office.

2d. The second of four bills of exchange, designated by the letters A, B, C, and D, drawn by Colonel J. C. Frémont, on Hon. James Buchanan, Secretary of State, on the 18th March, 1847, in favor of P. Huttman or order, at ten days sight. A \$6,000, B \$5,000, C \$4,500, D \$4,000—\$19,500; to each bill is attached the copy of a protest.

3d. Copy of a letter from Mr. Buchanan to Mr. Guthrie, dated September 22, 1853.

4th. Copy of a receipt of £9,933 7s. 9d., signed by Tatham, Upton, Upton & Johnson, attorneys for plaintiffs in a suit in the Exchequer, England, of Gibbs vs. Frémont, dated September 21, 1853.

5th. Copy of a certificate of satisfaction of judgment in the suit of Gibbs and others against John Charles Frémont, signed by R. E. Johnson on the 21st day of September, 1853.

Your attention is invited to an act approved on the 3d of March, 1853, for the relief of John Charles Frémont, late lieutenant colonel in the army of the United States. Pamphlet Laws indicate acts pages 35 and 36. By report 111,625 there was found due to R. Withers, New York, cashier, as assignee from the United States, the sum of \$48,843 33, the amount of a bill of exchange, the purchase of which was

necessary to liquidate and satisfy the judgment, damages and costs mentioned in said act of March 3, 1853.

The amount so found due was paid on treasury warrant No. 686, dated August 29, 1853.

The Secretary of the Treasury instructs this office to take measures to state an account between the United States and said Lieutenant Colonel John Charles Frémont, so that the transaction in settling the matters embraced in said act shall hereafter appear on the books of the treasury in the name of said Lieutenant Colonel John Charles Frémont. According to said instructions of the Secretary of the

Treasury, Colonel Frémont is to be charged with	-	\$48,843 33
And to be credited with damages, costs -	\$29,314 33	
Premium on bills negotiated in California	4,500 00	
Repayment by Hon. J. Buchanan, minister, &c.	-	29 00
		<hr/> 33,843 33
		<hr/> <hr/> 15,000 00

You will so please state the account according to said instructions of the Secretary of the Treasury, contained in paper No 1, and report the same to this office,

Most sincerely yours,

ELISHA WHITTLESEY.

THOMAS L. SMITH, Esq.,  
*First Auditor.*

TREASURY DEPARTMENT, *October 8, 1853.*

SIR: For the purpose of an examination of the accounts of John C. Frémont, late lieutenant colonel in the army of the United States, and with the view, after ascertaining the true state of his indebtedness, of having his accounts closed upon the books of the treasury, I have to request that you will give the necessary directions for charging the said John C. Frémont upon the books of the Register of the Treasury with the amount of treasury warrant No. 686, dated August 29, 1853, for \$48,843 33, which warrant issued in payment of a certain bill of exchange, the purchase of which bill having been rendered necessary under the provisions of an act of Congress, approved March 3, 1853, for the relief of the said John C. Frémont. When the said J. C. Frémont is thus charged, and any credit to which he may be entitled deducted, then to transfer his indebtedness to the Third Auditor of the Treasury for final settlement.

Taking said credit as presumed to be correct, as follows:

Damages and costs	-	-	-	\$29,314 33
Premium on bills negotiated in California	-	-	-	4,500 00
Repayment by Hon. James Buchanan, minister to England				29 00
				<hr/> 33,843 33

Which sum of \$33,843 33, taken from said sum of \$48,843 33, leaves the sum of \$15,000, the exact original proceeds of said bills negotiated in California, chargeable to Col. Frémont.

Very respectfully, sir, I remain your obedient servant,  
**JAMES GUTHRIE**  
*Secretary of the Treasury.*

**E. WHITTLESEY, Esq.,**  
*First Comptroller of the Treasury.*

A.

CIUDAD DE LOS ANGELES, UPPER CALIFORNIA

\$6,000.

March 18, 1847.

At ten days sight of this my second of exchange, first and third remaining unpaid, pay to F. Hüttman, or order, six thousand hard dollars, for value received, and charge the same to the account of your obedient servant,

**J. C. FRÉMONT,**  
*Governor of California*

**Hon. JAMES BUCHANAN,**  
*Secretary of State of the United States,*  
*Washington, D. C.*

Pay Messrs. Ant'y Gibbs & Sons, or order, value in account.  
**F. HUTTMAN**

Pay to the order of Samuel K. George, esq., value in account.  
**ANT'Y GIBBS & SONS.**

Protested for non-acceptance, October 12, 1847.

**C. E. R., N. P.**

IN THE EXCHEQUER OF PLEAS.

**WILLIAM GIBBS, HENRY HUCKS GIBBS, JOHN HAYNE, AND GEORGE**  
**THOMAS DAVY, plaintiffs,**  
*vs.*

**JOHN CHARLES FRÉMONT, défendant.**

This paper writing was produced and shown to the undermentioned witnesses on their examination before us under a commission issued from her Majesty's court of exchequer of pleas at Westminster, viz: Charles E. Rittenhouse, William C. Zantzinger, and Samuel K. George.

**DAVID A. HALL,**  
**JAMES H. CAUSTEN,**  
**R. BEALE,**  
*Acting Commissioners.*



(a.)

CIUDAD DE LOS ANGELES, UPPER CALIFORNIA,  
*March 18, 1847.*

\$6,000.

At ten days sight of this my second of exchange, first and third remaining unpaid, pay to F. Huttman, or order, six thousand hard dollars for value received, and charge the same to the account of your obedient servant,

J. C. FRÉMONT,  
*Governor of California.*

Hon. JAMES BUCHANAN,  
*Secretary of State of the United States, Washington, D. C.*

Pay Messrs. Nanning Koster, or order, value in account.  
 F. HUTTMANN.

—  
 ENDORSED.

Pay to Nanning Koster.  
 HENRY A. HOEST.

Pay to J. Hoff, esq., cashier, or order.  
 A. P. HALSEY, *Cashier.*

Pay to the order of Richard Smith, esq., cashier.  
 ROBERT JAMESON, *President.*

DISTRICT OF COLUMBIA, }  
 Washington county, } ss.

Be it known, that on the twelfth day of October, in the year eighteen hundred and fifty-seven, I, Charles E. Rittenhouse, notary public, residing in the said county, duly commissioned and sworn, at the request of the trustees of the Bank of the Metropolis, presented at the Department of State, to the disbursing agent, E. Stubbs, esq., the original draft of which the above is a true copy, and demanded acceptance thereof, whereunto he replied: "We know nothing of this draft; we presume that it is improperly drawn on the Department of State, and should have been drawn on the War Department."

Therefore, I, the said notary, at the request aforesaid, have protested, and by these presents do solemnly protest, against the drawer and endorsers of the said draft, and all others whom it may or doth concern, for all costs, exchange, re-exchange, charges, damages, and interest, suffered and to be suffered for want of acceptance thereof. And, on the same day, I deposited in the post office of Washington city notice of protest to each endorser, viz:  
 Notice for Nanning Koster, directed to A. P. Halsey, esq., cashier, New York.

Notice for A. P. Halsey, cashier, directed to A. P. Halsey, esq., cashier, New York.

Notice for F. Huttman, directed to A. P. Halsey, esq., cashier, New York.

Notice for Robert Jameson, president, directed to J. Hoof, esq., cashier, Alexandria, Virginia.

And also left notice for J. C. Frémont, the drawer, at his residence in Washington, D. C.

[L. s.] In testimony whereof I have hereunto set my hand and affixed my notarial seal of office, the day and year aforesaid.

CHS. E. RITTENHOUSE,

Notary Public.

No. 1.—C. E. R.

Protesting, \$1 75. Recorded, book C, folio 323.

IN THE EXCHEQUER OF PLEAS.

WILLIAM GIBBS, HENRY HUCKS GIBBS, JOHN HAYNE, and GEORGE THOMAS

DAVY, *plaintiffs*.

*vs.*

JOHN CHARLES FRÉMONT, *defendant*.

This paper writing was produced and shown to the under mentioned witnesses upon their examination before us, under a commission from her Majesty's court of exchequer of pleas at Westminster.

DAVID A. HALL,  
JAMES H. CAUSTEN,  
R. BEALE,  
*Acting Commissioners.*

B.

CIUDAD DE LOS ANGELES,  
*Upper California, March 18, 1847.*

\$5,000.

At ten days sight of this my second of exchange, my first and third remaining unpaid, pay to F. Hüttmann, or order, five thousand hard dollars for value received, and charge the same to the account of your obedient servant,

J. C. FRÉMONT,  
*Governor of California.*

Hon. JAMES BUCHANAN,  
*Secretary of State of the United States,*  
*Washington, D. C.*

Protested for non-acceptance, October 12, 1847.

C. E. R., *N. P.*

## IN THE EXCHEQUER OF PLEAS.

WILLIAM GIBBS, HENRY HUCKS GIBBS, JOHN HAYNE AND GEORGE  
THOMAS DAVY, *plaintiffs*,

*vs.*

JOHN CHARLES FRÉMONT, *defendant*.

This paper writing was produced and shown to the under mentioned witnesses on their examination before us, under a commission from her Majesty's court of exchequer of pleas at Westminster, viz: Charles E. Rittenhouse, William C. Zantzinger, and Samuel R. George.

DAVID A. HALL,  
JAMES H. CAUSTEN,  
R. BEALE,  
*Acting Commissioners.*

Pay Messrs. Ant'y Gibbs & Son, or order, value in account.  
F. HUTTMANN.

Pay to the order of Samuel K. George, esq., value in account.  
ANT'Y GIBBS & SON.

(b.)

CIUDAD DE LOS ANGELES, UPPER CALIFORNIA,  
March 18, 1847.

\$5,000.  
At ten days sight of this, my second of exchange, my first and third remaining unpaid, pay to F. Hüttman or order, five thousand hard dollars, for value received, and charge the same to the account of your obedient servant,

J. C. FRÉMONT,  
*Governor of California.*

Hon. JAMES BUCHANAN,  
*Secretary of State of the United States, Washington, D. C.*

Pay to Messrs. Nanning, Koster & Co., or order, value in account.  
F. HUTTMANN.

ENDORSED.

Pay to Nanning, Koster & Co.  
HENRY HOLST.

Pay to J. Hooff, esq., cashier, or order.  
A. P. HALSEY, *Cashier.*

Pay to the order of Richard Smith, esq., cashier.  
ROB'T JAMIESON, *President.*

DISTRICT OF COLUMBIA, }  
*Washington county,* } ss.

Be it known, that on the twelfth day of October, in the year eighteen hundred and forty-seven, I, Charles E. Rittenhouse, notary public, residing in the said county, duly commissioned and sworn, at the request of the trustees of the Bank of the Metropolis, presented at the Department of State, to the disbursing agent, E. Stubbs, esq., the original draft, of which the above is a true copy, and demanded acceptance thereof, whereunto he replied: "We know nothing of this draft. We presume that it is improperly drawn on the Department of State, and should have been drawn on the War Department."

Therefore, I, the said notary, at the request aforesaid, have protested, and by these presents do solemnly protest, against the drawer and endorsers of the said draft, and all others whom it may or do concern, for all costs, exchange, re-exchange, charges, damages, and interest, suffered and to be suffered for want of acceptance thereof. And on the same day I deposited in the post office of Washington city notice of protest to each endorser, viz:

Notice for Nanning, Koster & Co., directed to A. P. Halsey, esq., cashier, New York.

Notice for A. P. Halsey, cashier, directed to A. P. Halsey, esq., cashier, New York.

Notice for F. Huttman, directed to A. P. Halsey, esq., cashier, New York.

Notice for Robert Jamieson, president, directed to John Hooff, esq., cashier, Alexandria, Virginia.

And also left notice for J. C. Frémont, (the drawer,) at his residence in Washington, D. C.

In testimony whereof, I have hereunto set my hand and affixed my notarial seal of office, the day and year aforesaid.

CHAS. E. RITTENHOUSE,  
*Notary Public*

No. 3. C. E. R. Protesting, \$1 75. Recorded book C, folio 322

IN THE EXCHEQUER OF PLEAS.

WILLIAM GIBBS, HENRY HUCKS GIBBS, JOHN HAYNE, AND GEORGE  
 THOMAS DAVY, *plaintiffs,*

vs.

JOHN CHARLES FRÉMONT, *defendant.*

This paper writing was produced and shown to the under mentioned witnesses upon their examination before us, under a commission from her Majesty's court of exchequer of pleas at Westminster, viz: Charles E. Rittenhouse and Samuel K. George.

DAVID A. HALL,  
 JAMES H. CAUSTEN,  
 R. BEALE,  
*Acting Commissioners*

C.

CIUDAD DE LOS ANGELES, UPPER CALIFORNIA,  
March 18, 1847.

\$4,500.

At ten days sight of this my second of exchange, first and third remaining unpaid, pay to F. Hüttmann, or order, four thousand five hundred hard dollars, for value received, and charge the same to the account of your obedient servant,

J. C. FRÉMONT,  
Governor of California.

Hon. JAMES BUCHANAN,  
Secretary of State of the United States, Washington, D. C.

Protested for non-acceptance, October 12, 1847.

C. E. R., N. P.

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IN THE EXCHEQUER OF PLEAS.

WILLIAM GIBBS, HENRY HUCKS GIBBS, JOHN HAYNE, AND GEORGE  
THOMAS DAVY, *plaintiffs*.

*vs.*

JOHN CHARLES FRÉMONT, *defendant*.

This paper writing was presented and shown to the under mentioned witnesses on their examination before us, under a commission from her Majesty's court of exchequer of pleas, at Westminster, viz: Charles R. Rittenhouse, William C. Zantzinger, and Samuel K. George:

DAVID A. HALL,  
JAMES H. CAUSTEN,  
R. BEALE,  
*Acting Commissioners.*

---

Pay Messrs. Ant'y Gibbs & Sons, or order, value in account.  
F. HUTTMANN.

Pay to the order of Samuel K. George, esq., value in account.  
ANT'Y GIBBS & SONS.

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(c.)

CIUDAD DE LOS ANGELES, UPPER CALIFORNIA,  
March 18, 1847.

\$4,500.

At ten days sight of this my second of exchange, first and third remaining unpaid, pay to F. Hüttmann, or order, four thousand five

hundred hard dollars, for value received, and charge the same to the account of your obedient servant,

J. C. FRÉMONT,  
*Governor of California.*

Hon. JAMES BUCHANAN,  
*Secretary of State of the United States, Washington, D. C.*

Pay to Messrs. Nanning, Köster & Co., or order, value in account.  
F. HUTTMAN.

ENDORSED.

Pay protest Nanning, Köster & Co.  
HENRY A. HOLST.

Pay J. Hoff, esq., cashier, or order.  
A. P. HALSEY.

Pay to the order of Richard Smith, esq., cashier.  
ROB'T JAMIESON, *President.*

DISTRICT OF COLUMBIA, } *set.*  
*Washington county,*

Be it known that, on the 12th day of October, in the year eighteen hundred and forty-seven, I, Charles E. Rittenhouse, notary public, residing in the said county, duly commissioned and sworn, at the request of the trustees of the Bank of the Metropolis, presented at the Department of State, to the disbursing agent, E. Stubbs, esq., the original draft, of which the above is a true copy, and demanded acceptance thereof; whereunto he replied, "We know nothing of this draft; we presume that it is improperly drawn on the Department of State, and should have been drawn on the War Department." Therefore, I, the said notary, at the request aforesaid, have protested, and by these presents do solemnly protest, against the drawer and endorsers of the said draft, and all others whom it may or doth concern, for all costs, exchange, re-exchange, charges, damages, and interests, suffered and to be suffered for want of acceptance thereof. And, on the same day, I deposited, in the post office of Washington city, notice of protest to each endorser, viz:

Notice for Nanning, Köster & Co., directed to A. P. Halsey, esq., cashier, New York.

Notice for A. P. Halsey, cashier, directed to A. P. Halsey, esq., cashier, New York.

Notice for F. Hüttmann, directed to A. P. Halsey, esq., cashier, New York.

Notice for Rob't Jamieson, president, directed to John Hooff, esq., cashier, Alexandria, Virginia.

And also left notice for J. C. Frémont, the drawer, at his residence in Washington, D. C.

In testimony whereof, I have hereunto set my hand and affixed my notarial seal of office, the day and year aforesaid.

CHS. E. RITTENHOUSE, *Notary Public.*

No. 2. C. E. R. Protesting, \$1 75. Recorded book C, folio 321.

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IN THE EXCHEQUER OF PLEAS.

WILLIAM GIBBS, HENRY HUCKS GIBBS, JOHN HAYNE, AND GEORGE  
THOMAS DAVY, *plaintiffs,*

*vs.*

JOHN CHARLES FRÉMONT, *defendant.*

This paper writing was produced and shown to the under mentioned witnesses on their examination before us, under a commission from her Majesty's court of exchequer of pleas, at Westminster, viz: Charles E. Rittenhouse and Samuel K. George.

DAVID A. HALL,  
JAMES H. CAUSTEN,  
R. BEALE,  
*Acting Commissioners.*

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D.

CIUDAD DE LOS ANGELES, UPPER CALIFORNIA,  
March 18, 1847.

\$4,000

At ten days sight of this, my second of exchange, first and third remaining unpaid, pay to F. Hüttman, or order, four thousand hard dollars, for value received, and charge the same to the account of your obedient servant,

J. C. FRÉMONT,  
*Governor of California.*

Hon. JAMES BUCHANAN,  
*Secretary of State of the United States, Washington, D. C.*

Protested for non-acceptance, October 12, 1845.

C. E. R., N. P.



## IN THE EXCHEQUER OF PLEAS.

WILLIAM GIBBS, HENRY HUCKS GIBBS, JOHN HAYNE, AND GEORGE  
THOMAS DAVY, *plaintiffs*,

*vs.*

JOHN CHARLES FRÉMONT, *defendant*.

This paper writing was presented and shown to the under mentioned witnesses on their examination before us, under a commission from her Majesty's court of exchequer of pleas, at Westminster, viz: Charles E. Rittenhouse, William C. Zantzinger, and Samuel K. George.

DAVID A. HALL,  
JAMES H. CAUSTEN,  
R. BEALE,  
*Acting Commissioners*.

Pay Messrs. Ant'y Gibbs & Sons, or order, value in account.  
J. HUTTMAN.

Pay to the order of Samuel K. George, esq., value in account.  
ANT'Y GIBBS & SONS.

(d.)

CIUDAD DE LOS ANGELES, UPPER CALIFORNIA,  
March 18, 1847.

\$4,000

At ten days sight of this my second of exchange, first and third remaining unpaid, pay to F. Huttman, or order, four thousand hard dollars, for value received, and charge the same to the account of your obedient servant,

J. C. FRÉMONT,  
*Governor of California*.

Hon. JAMES BUCHANAN,  
*Secretary of State of the United States, Washington, D. C.*

Pay Messrs. Nanning, Kosta & Co., or order, value in account.

ENDORSED.

Pay protest Nanning, Koster & Co.,

HENRY A. HOLST.

Pay J. Hooff, Esq., cashier, or order,

A. P. HALSEY.

Pay to the order of Richard Smith, esq., cashier,  
ROB'T JAMIESON, *President*.

DISTRICT OF COLUMBIA, }  
 Washington county, } ss.

Be it known, that on the twelfth day of October, in the year eighteen hundred and forty-seven, I, Charles E. Rittenhouse, notary public, residing in the said county, duly commissioned and sworn, at the request of the trustees of the Bank of the Metropolis, presented at the Department of State, to the disbursing agent, E. Stubbs, esq., the original draft, of which the above is a true copy, and demanded acceptance thereof, whereunto he replied: "We know nothing of this draft; we presume that it is improperly drawn on the Department of State, and should have been drawn on the War Department." Therefore, I, the said notary, at the request aforesaid, have protested, and by these presents do solemnly protest, against the drawer and endorsers of the said draft, and all others whom it may or doth concern, for all cost, exchange, re-exchange, charges, damages, and interest, suffered, and to be suffered, for want of acceptance thereof. And on the same day I deposited in the post office of Washington city notice of protest to each endorser, viz:

Notice for Nanning, Koster & Co., directed to A. P. Halsey, esq., cashier, New York.

Notice for A. P. Halsey, cashier, directed to A. P. Halsey, esq., cashier, New York.

Notice for F. Huttman, directed to A. P. Halsey, esq., cashier, New York.

Notice for Robert Jamieson, president, directed to John Hooff, esq., Alexandria, Virginia.

And also left notice for J. C. Frémont, the drawer, at his residence in Washington city, D. C.

In testimony whereof, I have hereunto set my hand, and affixed my notarial seal of office, the day and year aforesaid.

CHAS. E. RITTENHOUSE,

*Notary Public.*

No. 4. C. E. R. Protesting \$1 75. Recorded, book C, folio 320.

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IN THE EXCHEQUER OF PLEAS.

WILLIAM GIBBS, HENRY HUCKS GIBBS, JOHN HAYNE, AND GEORGE  
 THOMAS DAVY, *plaintiffs.*

*vs.*

JOHN CHARLES FRÉMONT, *defendant.*

This paper writing was presented and shown to the under mentioned witnesses, on their examination before us, under a commission from her Majesty's court of exchequer of pleas, at Westminster, viz: Charles E. Rittenhouse and Samuel K. George.

DAVID A. HALL,  
 JAMES H. CAUSTEN,  
 R. BEALE,

*Acting Commissioners.*

UNITED STATES LEGATION, LONDON,  
September 22, 1853.

SIR: I have the honor to inform you that on the 12th instant I received your favor of the 29th ultimo, with its enclosures, embracing two letters of the same date from the Treasurer of the United States, covering the first and second of a set of exchange, dated on the 20th August, drawn by Messrs. Duncan, Sherman & Co. on Messrs. George Peabody & Co., London, at sixty days sight, in favor of Louis P. Merle, and made payable to my order, for the sum of £10,013 8s. 10d. sterling.

On yesterday, the 21st instant, in obedience to your request, I discharged with the proceeds of this bill the judgment of Gibbs and others against Colonel John C. Frémont, in the court of exchequer; and now transmit you a certificate in due form that satisfaction has been entered, together with the four original drafts and protests which were the foundation of the action. I also enclose the receipts of the plaintiffs' attorneys for the sum of £9,933 7s. 9d., the amount of the judgment and interest on the same at the rate of four per cent. up till its payment. There remains a balance in my hands of £5 19s. 9d., for which I enclose a draft on Messrs. Corcoran & Riggs, in favor of the Treasurer of the United States, for \$29, at the rate of \$4 84 the pound sterling.

The bill was discounted by Messrs. George Peabody & Co. at five per cent., the rate now current in London.

The following is a statement:

	£	s.	d.
Amount of bill	-	-	- 10,013 8 10
Discount 54 days, at five per cent.	-	-	- 74 1 4
			<hr/> 9,939 7 6
Amount of the judgment and interest	-	-	- £9,933 7 9
Check on Messrs. Corcoran & Riggs for \$29	-	-	- 5 19 9
			<hr/> 9,939 7 6

Upon the request of Mr. John Lawford, the solicitor of Colonel Frémont, I enclose you his bill of costs, amounting to £421 4s. 6d., part of which, he desires me to state to you, has ever been paid.

Will you be kind enough to acknowledge the receipt of this communication?

Yours, very respectfully,

JAMES BUCHANAN

Hon. JAMES GUTHRIE,  
Secretary of the Treasury.

IN THE EXCHEQUER.—GIBBS vs. FRÉMONT.

[STAMP.]

Received of the defendant, by payment of his excellency the United States minister, nine thousand nine hundred and thirty-nine pounds

seven shillings and nine pence, being the amount of the judgment in this action with subsequent interest thereon, consisting as follows:

	£	s.	d.
Amount of the four bills of exchange	3,988	12	9
Interest thereon, at 25 per cent., from the 25th of October, 1847, to the 16th June last, the date of judgment	5,524	4	4
Amount of Messrs. Gibbs' taxed costs	315	1	1
Interest from date of judgment (June 16) to September 21, at 4 per cent.	104	9	7
	<u>9,933</u>	<u>7</u>	<u>9</u>

£9,933 7s. 9d.

TATHAM, UPTON, UPTON & JOHNSON,  
*Plaintiffs' Attorneys.*

SEPTEMBER 21, 1853.

IN THE EXCHEQUER OF PLEAS.—TRINITY TERM, 1853, (JUNE 16.)

Middlesex.—Verdict: William Gibbs, Henry Hucks Gibbs, John Hayne, and George Thomas Davy, against John Charles Frémont, for £9,513 17s. 1d. Costs £315 1s. 1d.

TATHAM, U., U. & J., *Role 8.*

I certify that satisfaction is this day entered to the judgment, of which the above is a true extract.

Dated this 21st day of September, 1853.

R. E. JOHNSON.

[COURT STAMP.]

P. G. W.

To JOHN C. FRÉMONT, *late Lieut. Col. in the army of the U. S.*

At sight pay to Samuel Casey, Treasurer of the United States, or order, for the use of the said States, the sum of twenty-nine dollars, on account of moneys received by you.  
No. 7, 4th quarter, 1853, miscellaneous.

AN ACT for the relief of John Charles Frémont, late lieutenant colonel in the army of the United States, approved, March 3, 1853.

And for so doing this shall be your warrant. Given under my hand and the seal of the treasury, this eighth day of October, in the

year of our Lord one thousand eight hundred and fifty-three, and of the independence the seventy-eighth.

\$29—B. F. R. Recorded.

Countersigned,  
F. BIGGER, *Register*.

JAMES GUTHRIE,  
*Secretary of the Treasury.*

E. WHITTLESEY, *Comptroller.*

Deposite in the treasury of the United States, by Hon. James Buchanan, minister of the United States to England, October 7, 1853.  
\$29, S. M. B.

Received, October 18, 1853.

SAMUEL CASEY,  
*Treasurer of the United States.*

[See certificate of deposit annexed hereto.]

*Annexed certificate warrant No. 7, fourth quarter, 1853. Miscellaneous.*

No. 2786.

TREASURY OF THE UNITED STATES,  
October 7, 1853.

I certify that Hon. James Buchanan, by Corcoran & Riggs, has this day deposited in the treasury of the United States twenty-nine dollars, on account John Charles Frémont, late lieutenant colonel in the United States army, for which I have signed duplicate receipts.

\$29.

SAMUEL CASEY,  
*Treasurer United States.*

*First Auditor's certificate on the account of John Charles Frémont.  
Entered November 15, 1853.—Journal, page 407.*

No. 112,592.

TREASURY DEPARTMENT,  
*First Auditor's Office, November 2, 1853*

I hereby certify that I have examined and adjusted an account between the United States and John Charles Frémont, late lieutenant colonel in the army of the United States, and find that he is chargeable, viz:

To warrant on the treasury, viz: No. 686, dated August 29, 1853 - - - - - \$48,843 33

I also find that he is entitled to credit:

By amount of damages and costs in certain bills of exchange recovere against him by A. Gibbs & Sons, assignees of F. Hüttman, in England, paid in pursuance of the provisions of "An act for the relief of John Charles Frémont," approved March 3, 1853 - -	\$29,314 33
By amount of premium on said bills of exchange, negotiated in California - - - -	4,500 00

By warrant No. 7 (dep.) in favor of the Treasurer, dated October 8, 1853	\$29 00
By balance due the United States, to be accounted for through the office of the Third Auditor of the Treasury	15,000 00
	<hr/> 48,843 33

As appears from the statement and vouchers herewith transmitted for the decision of the Comptroller of the Treasury thereon.

T. L. SMITH,  
*First Auditor.*

To the FIRST COMPTROLLER OF THE TREASURY.

COMPTROLLER'S OFFICE.

I admit and certify the above balance, this fifteenth day of November, 1853.

E. WHITTLESEY,  
*Comptroller.*

To the REGISTER OF THE TREASURY.

*Additional Certificate.*

COMPTROLLER'S OFFICE, November 16, 1853.

The register is requested, when the balance of \$15,000, due the United States, as certified above, shall be brought upon his books, to transfer the same as a charge to appear on the books of the Third Auditor, and to credit Colonel Frémont by said transfer.

E. WHITTLESEY,  
*Comptroller.*

*John Charles Frémont, late lieutenant colonel in the army of the United States, in account with the United States.*

DR.

To warrant No. 686, dated August 29, 1853.....	\$48,843 33
--	-------------

CR.

By amount of damages and costs on certain bills of exchange recovered against John Charles Frémont by A. Gibbs & Sons, assignees of F. Huttman, in England, paid in pursuance of the provisions of an act for the relief of said Frémont, approved March 3, 1853.....	\$29,314 33
By amount of premium on said bills negotiated in California.....	4,500 00
By warrant No. 7 (dep.) in favor of the Treasurer.....	29 00
By balance due the United States, to be accounted for through the office of the Third Auditor of the Treasury.....	15,000 00
	<hr/> 48,843 33

FIRST AUDITOR'S OFFICE, October 31, 1853.  
COMPTROLLER'S OFFICE, November 15, 1853.

D. W. MAHON.  
H. LANGTRY.

TREASURY DEPARTMENT,  
Register's Office, August 16, 1854.

I certify the foregoing to be true copies of original papers on file in this office.

F. BIGGER, *Register*.

THIRTY-SECOND CONGRESS, FIRST SESSION—H. R. 474, REPORT 229.

IN THE HOUSE OF REPRESENTATIVES, July 14, 1854.

Read twice, and committed to a Committee of the Whole House to-morrow.

Mr. Orr, from the Committee on Indian Affairs, reported the following bill:

*A bill authorizing the Secretary of the Treasury to pay John Charles Frémont for beef furnished the California Indians.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury shall pay, out of any money in the treasury not otherwise appropriated, the sum of one hundred and eighty-three thousand eight hundred and twenty-five dollars, with interest thereon from the first day of June, eighteen hundred and fifty-one, at the rate of ten per centum per annum, to John Charles Frémont, in full of his account for beef delivered to Commissioner Barbour, for the use of the Indians in California, in eighteen hundred and fifty-one, and in eighteen hundred and fifty-two.*

Approved, July 29, 1854.

DEPARTMENT OF STATE,  
Washington, July 31, 1854.

A true copy, carefully collated, with the original roll.

W. HUNTER, *Chief Clerk*.

Referred to the First Auditor of the Treasury for settlement.

P. G. WASHINGTON,  
*Assistant Secretary*.

JULY 31, 1854.

[No. 115,130.]

TREASURY DEPARTMENT,  
First Auditor's Office, August 2, 1854.

I hereby certify that I have examined and adjusted an account between the United States and John Charles Frémont, and find that the sum of



two hundred and twenty thousand four hundred and seventy-two dollars and fifty-two cents is due from the United States to him, for beef furnished to California Indians, viz:

For amount of his account for beef furnished Commissioner Barbour for the use of the Indians in California, in 1851 and 1852, as per act approved 29th July, 1854, herewith	-	-	-	-	\$183,825 00
Interest on the above sum, from June 1, 1851, to August 1, 1854, as provided by same act, at 10 per cent.	-				58,211 25
					<hr/> 242,036 25

From which deduct amount of his indebtedness, as per certificate of the Second Comptroller and Second Auditor of the Treasury herewith, viz:

In the office of the Second Auditor	-	-	\$771 85	
" " " Third "	-	-	15,945 88	
" " " Fourth "	-	-	4,846 00	
			<hr/>	21,563 73
				<hr/> <hr/> 220,472 52

Which sum is payable out of any money in the treasury not otherwise appropriated, in pursuance of the provisions of "a bill authorizing the Secretary of the Treasury to pay John Charles Frémont, for beef furnished the California Indians," approved, July 20, 1854. As appears from the statement and vouchers herewith transmitted for the decision of the Comptroller of the Treasury thereon.

\$220,472 52.

T. L. SMITH, *First Auditor.*

To the FIRST COMPTROLLER OF THE TREASURY.

COMPTROLLER'S OFFICE.

I admit and certify the above balance, this 2d day of August, 1854.

E. WHITTLESEY,

*Comptroller.*

To the REGISTER OF THE TREASURY.

Colonel Frémont is in Washington City.

*Appropriation to pay John Charles Frémont for beef furnished to California Indians, per act approved July 29, 1854.*

[No. 1676.]

TREASURY DEPARTMENT,

*Second Auditor's Office, August 1, 1854.*

I certify that I have examined and adjusted the account of John Charles Frémont, late lieutenant colonel mounted riflemen, and find that he is entitled to credit:

By appropriation for amount of his account for beef delivered to Commissioner Barbour for the use of the Indians in California in 1851 and 1852, per act approved July 29, 1854, herewith - - - \$183,825 00  
 For interest on the above sum from June 1, 1851, to August 1, 1854, at ten per centum per annum, as provided by the same act - - - 58,211 25

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 242,036 25

And is charged in this office, April 23, 1851, to W. H. Russell, major California battalion, for amount charged by decision of Secretary of War, March 31, 1851 - - - \$140 00  
 September 15, 1852, to P. B. Reading, paymaster, for amount received of him, April 21, 1847 - - - 631 85

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 771 85

Leaving a balance due him in this office - - - 241,264 40

In addition to the above charge, he is indebted in Third Auditor's office, per letter herewith - \$15,945 88

In Fourth Auditor's office, per letter herewith - - - 4,846 00

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 20,791 88

Which leaves a balance due him - - - 220,472 52

For which a requisition is to be issued payable to him, present, as appears from the statement and vouchers herewith transmitted for the decision of the Second Comptroller of the Treasury thereon.

P. CLAYTON,  
*Second Auditor.*

To the SECOND COMPTROLLER OF THE TREASURY.

SECOND COMPTROLLER'S OFFICE.

I admit and certify the above, this first day of August, 1864.

J. M. BRODHEAD,  
*Second Comptroller.*

*The United States to John Charles Frémont.*

For beef furnished California Indians, per act of July 29, 1854 - - - \$183,825 00  
 Interest from June 1, 1851, to August 1, 1854, at ten per cent - - - 58,211 25

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 242,036 25

Brought forward	-	-	-	-	\$242,036 25
Deduct amount of his indebtedness in the offices of the Second, Third, and Fourth Auditors	-	-	-	-	21,563 73
					<u>220,472 52</u>

D. McMAHON.

FIRST AUDITOR'S OFFICE, *August 2, 1854.*

WILLIAM ANDERSON.

COMPTROLLER'S OFFICE, *August 2, 1854.*TREASURY DEPARTMENT, REGISTER'S OFFICE,  
*August 16, 1856.*

I certify the foregoing to be copies of original papers on file in this office.

F. BIGGER, *Register.*[No. 6.] TREASURY DEPARTMENT, COMPTROLLER'S OFFICE,  
*August 25, 1854.*

SIR: Under an act, approved on the 29th of July, 1854, authorizing the Secretary of the Treasury to pay John Charles Frémont, for beef furnished the California Indians, one hundred and eighty-three thousand eight hundred and twenty-five dollars, with interest thereon from the 1st of June, 1851, at the rate of ten per cent. per annum, your report No. 115,130, August 2, 1854, under instructions from the Secretary of the Treasury, which was concurred in by this office, found due to Colonel Frémont

-	-	-	-	-	242,036 25
From which was deducted	-	-	-	-	21,563 73

Being the aggregate due the United States from Colonel Frémont in the Second, Third, and Fourth Auditor's offices, so that the amount paid Colonel Frémont was 220,472 52

The balances still stand against him on the books of the several auditors mentioned, and the books of the treasury show that the sum paid is \$220,472 52, and no more.

In order to pay said balances, and to have it appear on the books of the treasury that the full amount of \$242,036 25 has been paid, I respectfully request that you report a further sum due to John Charles Frémont of \$21,563 73, so deducted as mentioned above, and the same being credited, it will be paid and cancelled by counter warrants to pay said balances, and thus all the books will be balanced.

Most sincerely yours,

ELISHA WHITTLESEY.

THOMAS L. SMITH, Esq.,  
*First Auditor.*

TREASURY DEPARTMENT, FIRST AUDITOR'S OFFICE,  
August 25, 1854

[No. 115,310.]

I hereby certify, that I have examined and adjusted an account between the United States and John Charles Frémont, and find that the sum of twenty-one thousand five hundred and sixty-three dollars and seventy-three cents, is due from the United States to him, being the balance of his account for beef furnished to California Indians, which sum is payable out of any money in the Treasury not otherwise appropriated, in pursuance of the provisions of "an act authorizing the Secretary of the treasury to pay to John Charles Frémont for beef furnished the California Indians," approved July 29, 1854, to be covered by warrant to his credit to pay balances due from him, viz:

In the office of the Second Auditor	-	-	-	\$771 85
" " Third do	-	-	-	15,945 88
" " Fourth do	-	-	-	4,846 00
				<hr/>
				\$21,563 73

As appears from the statement and vouchers herewith transmitted for the decision of the Comptroller of the Treasury thereon.  
\$21,563 73.

T. L. SMITH,  
First Auditor.

To the FIRST COMPTROLLER OF THE TREASURY.

COMPTROLLER'S OFFICE.

I admit and certify the above balance this 25th day of August, 1854.

E. WHITTLESEY,  
Comptroller.

To the REGISTER OF THE TREASURY.

Counter warrants to be issued to pay the balances on the books of the Register amounting to the above sums.

*The United States to John Charles Frémont,*

For balance of his account for beef furnished for the California Indians, under act of 29th July, 1854 - - - \$21,563 73

FIRST AUDITOR'S OFFICE, August 25, 1854.

D. McMAHON

COMPTROLLER'S OFFICE, August 24, 1854.

WM. ANDERSON

TREASURY DEPARTMENT, REGISTER'S OFFICE,  
August 16, 1854.

I certify the foregoing to be true copies of original papers on file in this office.

F. BIGGER, Register.